

3031 WESTERN AVENUE



Downtown Design Review Board
Final Recommendation Submittal
January 11, 2011

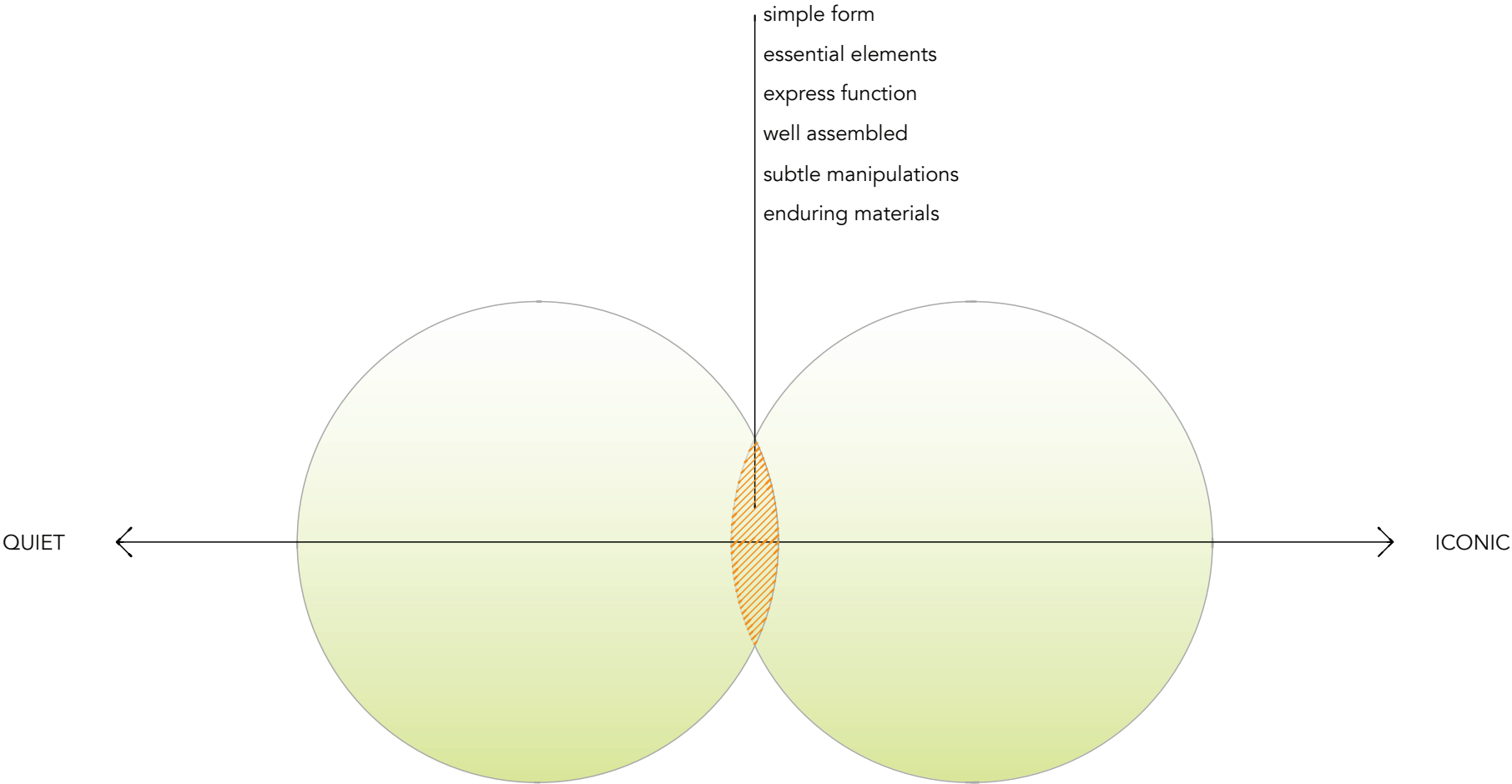
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PROJECT DESCRIPTION

The project is to construct a high quality multi-family residential building of 64 dwelling units with below grade parking for 46 cars. The project further responds to the unique and sensitive site through many architectural details as described in the narrative and graphic information provided.

DEVELOPMENT STANDARD DEPARTURES:

The proposed project design complies with all applicable development standards – no development standard departures are requested.



PROJECT BACKGROUND:

- A significantly taller design which included substantially more glass on its south facade was approved by the Downtown Design Review Board on April 14 of 2009 and approved by the Director of the Department of Planning and Development in September of 2009 following extensive public process and expert review of design, zoning, and SEPA considerations.
- As of the March 9, 2010 DRB meeting, the Seattle Art Museum submitted a letter to the DRB and DPD in which SAM took no exception to the design and requested seven express conditions to be incorporated in the project approval, including *“toconstruct a building with siting, construction materials, and architectural details, and install landscaping, both hardscape and planting materials, substantially the same as presented at the April 14, 2009 Design Review Board meeting and as contained in the approved MUP plan set.”*
- The approved design conformed with all of the conditions requested in writing by the Seattle Art Museum and these conditions were integral to the MUP decision.
- Subsequent to MUP approval, an appeal was brought before the hearings examiner, who reversed the approval solely due to the finding that inadequate notice of a design review meeting was provided to the public.
- In the course of the appeal hearing, every aspect of the design including zoning and SEPA issues were subjected to extreme scrutiny.
- At the conclusion of the appeal, there were no findings made by the examiner on the basis of any design, zoning, or SEPA issues.
- Following the appeal another EDG meeting was held. Out of respect for the guidance and direction previously provided by the Design Review Board the project presented at that time was the same as had been previously approved.
- The Board’s recommendation was that the structure should maintain a consistent height of 125 feet as measured from Elliott Avenue, and the project should be returned to the Board for an additional recommendation meeting with a structure of uniform height of 91’ from Western Avenue.
- Subsequent to this recommendation, the design and development team submitted a concept consistent with the scale recommendation that would eliminate balconies and further simplify the building form by proposing office use in the context of a contract re-zone.
- Based on a perceived lack of support for office use within the smaller scale building envelope recommended by the DRB, the owner has decided to proceed with the residential project.

RESPONSE TO EARLY DESIGN GUIDANCE:

- The project is a multi-family residential project.
- The project height has been reduced to 91’ from Western Avenue.
- The project remains consistent with past guidance from the DRB.
- The project remains consistent with requests submitted in writing by SAM.

A-1 SITE PLANNING: RESPOND TO THE PHYSICAL ENVIRONMENT

- The project responds to the physical environment through appropriate and sensitive planning, massing, modulation, materials, and details of the architecture, as well as through the provision and improvement of substantial areas for public pedestrian use and copious landscape planting.
- The project sets back 15’ along the OSP boundary and is further set back substantially and modulated along Western and Elliott at the first two stories above each respective grade to maximize the light, air, and views for the public
- Where the project meets the ground it covers only 9,000 SF of the 12,500 SF area of the site (72% lot coverage), creating an elegant and minimal footprint.
- The space to the north of the project will benefit from enhanced pedestrian access and increased landscape planting as well as the removal of surface parking.

B-1 RESPOND TO THE NEIGHBORHOOD CONTEXT

- The composition and detailing of the project is based upon the expressed aggregation of the individual dwellings which comprise its program, and continues the pattern of such developments that is well established in the neighborhood context.
- The project is a carefully composed, delicately modulated contemporary architectural response to its context, designed to be a simple background building featuring the layering of high quality ‘natural’ materials; glass, stone, copper, steel, and generous and substantial planting, landscape, and open space.

B-2 CREATE A TRANSITION IN HEIGHT, BULK, AND SCALE

The project situated at the northeastern edge of the 125’ height limit zone, adjacent to a 65’ height limit zone to the east. Of the buildable sites surrounding the park, about half are within a 125’ zone, some of which have existing developments to the height limit; others will someday be developed to their full height potential.

The project creates a transition in height, bulk, and scale:

- First, the reduction in height to 91’ from Western Avenue, 34’ lower than the height limit, a reduction in height of 27%.
- Second, the voluntary setback of the development 15’ from the southern edge at the park is a substantial reduction of the bulk and scale of the project, particularly to the east and west facades, which take on an unprecedented thinness, resulting in a commensurate reduction of the development potential by and additional 24%.

The clear development pattern in the neighborhood, zone, and City of Seattle is that developments are built to their maximum height limits other than mandatory setbacks.

B-2(A) TOPOGRAPHIC RELATIONSHIPS:

The slope and elevation differential between Western Avenue and Elliott Avenue of 34’ creates a building with a 3 story difference between the east and west elevations.

- At the south edge, this condition is mediated by a landscaped terrace that maintains the existing grade relationship to the park while providing 15’ of additional landscape buffer beyond what is provided by the existing structure on the project site.
- At the north edge, existing grades are maintained while 2,600 SF of additional landscape is added to replace surface parking.
- Along Western and Elliott Avenues, the project meets an essentially level grade condition with planting, terraces, stoops, and the main entry.

B-2(B) DISTANCE FROM A LESS INTENSIVE ZONE EDGE:

- The project site is separated from a lower height zone to the east by 66’ of public right of way along Western Avenue.
- The 26’ of height difference between the 91’ high project and the 65’ high neighboring buildings transitions along a 21 degree plane (half the 42 degree plane allowed by the height limit, and substantially less than existing conditions within the neighborhood and City which exhibit a much more pronounced and abrupt transitions, either by virtue of a narrower horizontal separation, or by virtue of a greater height difference).
- As a result of this generous horizontal dimension and modest height differential, a transition in height is effectively accomplished within the airspace of the public right of way.

B-2(C) DIFFERENCES IN DEVELOPMENT STANDARDS BETWEEN ABUTTING ZONES: (ALLOWABLE HEIGHT, WIDTH, LOT COVERAGE)

The project is built to a scale substantially less than allowed in its zone:

- Project height is 73% of the allowable height on Western Ave (91’/125’)
- Project is 77% of the allowable width (51’/66’)
- Project lot coverage is 72% at grade, 80% at typical floors.
- Project typical floor of 9,600 is smaller than scale of neighbors

These extraordinary and voluntary reductions in scale result in a project that is in fact much smaller than many of the neighboring projects in the less intensive zone.

B-2(D) EFFECT OF SITE SIZE AND SHAPE:

- Combined with B-2(E)

B-2(E) HEIGHT, BULK, AND SCALE RELATIONSHIPS RESULTING FROM LOT ORIENTATION:

- The lot size is small relative to adjacent development sites.
- The lot presents its narrow dimension to the less intensive zone, resulting in an extremely slender building, with façade widths that are a fraction of the width of the neighbors.
- The bulk of the project is far less than any of its neighbors by virtue of the fact that it will be the thinnest stand alone residential building in the neighborhood, and the City.

B-2(F) TYPE AND AMOUNT OF SEPARATION BETWEEN LOTS IN THE DIFFERENT ZONES (e.g. separation by only a property line, by an alley or street, or by other physical features such as grade changes):

- See response to B-2(B)

B-2(G) STREET GRID OR PLATTING ORIENTATIONS:

- Not applicable.

B-2(H) USE OF ARCHITECTURAL STYLE, DETAILS (SUCH AS ROOF LINES, BELT COURSES, CORNICES, OR FENESTRATION), COLOR, OR MATERIALS THAT DERIVE FROM THE LESS INTENSIVE ZONE:

- The project creates a strong transition in material, form, color, and fenestration at the top two floors as the copper panel column covers terminate and the facade steps back to reveal the shadow box to create a horizontal reference to the cornice line of the Alexandria to the east.
- The most relevant aspect of desirable precedents within the neighborhood relates to the fenestration of multifamily residential buildings composed such that the individual dwelling scale is legible, and the human scale is expressed through the composition and scale of windows and balconies. These design strategies are extensively employed in the proposed design to provide scale and minimize bulk.

B-2(I) ARCHITECTURAL MASSING OF BUILDING COMPONENTS:

- See response to B-2(A,B,C,H)
- The mechanical equipment and penthouse are significantly setback, and increase in setback while decreasing in height, to create the smallest possible building mass that accommodates necessary equipment and program.
- The lobby sets back substantially at grade and toward the park, to create a two story tall accessible terrace.

B-2(j) RESPOND TO TOPOGRAPHIC CONDITIONS IN WAYS THAT MINIMIZE IMPACTS ON NEIGHBORING DEVELOPMENT, SUCH AS BY STEPPING A PROJECT DOWN THE HILLSIDE:

See response to B-2(A)

B-2(K) ARTICULATE THE BUILDING’S FACADES VERTICALLY OR HORIZONTALLY IN INTERVALS THAT REFLECT TO EXISTING STRUCTURES OR PLATTING PATTERN:

See response to B-2(H)

B-2(L) INCREASE BUILDING SETBACKS FROM THE ZONE EDGE AT GROUND LEVEL:

The project has been set back substantially at ground level:

- Western Avenue setbacks
 - 7’ from the property line for a distance of 17’-8”
 - 2’ from the property line for a distance 12’-4”
 - 7’ from the property line for a distance of 8’-0”
 - An increasing dimension along the lobby
 - 38’ from the property line for a distance of 6’-0”
 - No structure is built for the southernmost 15’
- Elliott Avenue setbacks
 - 9’ at town home front doors
 - 4’ at town home bay windows
 - 2’ at town home stoops
- Olympic Sculpture Park setbacks
 - 15’ at grade to face of glass

B-2(M) REDUCE THE BULK OF THE BUILDING’S UPPER FLOORS:

- The upper 3 floors of the originally approved scheme have been removed to reduce the bulk of the overall building.
- The project has been substantially setback from the south at grade and further is seen to setback as the copper enclosures terminate two floors below the roof line to reveal the shadow box.
- The rooftop mechanical enclosure wall is setback 16’-6” (31’-6” from the OSP property line) minimum and 37’-0” (52’-0” from the OSP property line) from the south façade.

B-2(N) LIMIT THE LENGTH OF, OR OTHERWISE MODIFY, FACADES:

- East and west facades are skinnier than any residential high rise in Seattle.
- All facades are carefully composed to provide scale and detail.
- The north and south facades are in fact shorter in length than many of those found in the adjacent neighborhood and are carefully composed with many details to provide scale and mitigate bulk, as described under guideline C-3.

B-3 REINFORCE POSITIVE URBAN FORM/ATTRIBUTES OF THE AREA:

- The project forms a spatial backdrop to the park, completing the outdoor room of the park by providing a constructed edge to park space.
- The project connects the neighborhood to the waterfront via enhancing pedestrian links to the north.

B-4 DESIGN A WELL PROPORTIONED AND UNIFIED BUILDING

- The building is composed and expressive of the “essential” elements of its program and technical assembly, with additional formal or material details delicately overlaid where appropriate to create deliberate effects (living wall, light mural, perforated copper panel)
- The building proportions are based on aggregating the dwelling module, lending a human scale and proportion to the building.
- The building is subtly articulated through many elements and details to create a quiet interplay of solid and void, frame and infill, light and heavy, rough and smooth, warm and cool, heavy and light.
- Each façade is carefully considered to create a complex, yet unified weave of textures and materials that is nuanced and rich while appearing simple.
- A simple palette of high quality and durable materials unifies the building.

C-1 THE STREETScape: PROMOTE PEDESTRIAN INTERACTION

- The double height fully glazed lobby provides visual connections and interest for pedestrians.
- Substantial setbacks along Western Avenue and the south edge create significant visual connections to the OSP.
- Generous landscape planting areas, additional sidewalks and lighting to the north improve the pedestrian experience.
- The two story town homes on Elliott provide ‘eyes on the street’ and access to these units increases pedestrian activity along Elliott Avenue.

C-3 THE STREETScape: PROVIDE ACTIVE NOT BLANK FACADES

- The building has no back – all facades are treated thoughtfully to respond uniquely to their context and are activated through inhabitation, composition, material richness, and the play of light and shadow.
- The project is composed with a clear concept: a “heavy” side clad in stone and a “light” side, composed of a ‘tapestry’ of natural and ephemeral materials; glass, steel, copper, stone, landscape planting.
- The design of each façade is detailed to make the most of light and shadow and seasonal change.
- The facades are composed to create deliberate and active juxtapositions of texture, material, color, and detail – providing counterpoints of rough to smooth, warm to cool, heavy to light, rustic to technical.
- Each façade has a carefully considered overlay of regulating grids derived either from the functional program, or developed to create an effect of scale or dynamism.
- High quality materials which endure for generations are used throughout the project. A great deal of depth is developed in the balconies, glass tracery, and deep offsets within the cladding systems.

ELLIOTT AVENUE (WEST) FAÇADE:

- The Elliott façade is activated by three two story townhomes at grade. The townhomes have exterior horizontal sun louvers to temper the afternoon light and provide scale and detail, emphasizing the two story volume.
- The building systems infrastructure is located on the Elliott Avenue façade, 23’ above the sidewalk. The mechanical louvers are screened by horizontal architectural louvers and pulled back from the rest of the elevation by and average of 8’. This step back reduces the visibility from the street and also gives creates a distinct division between the individual townhouses and the apartment units above.
- The façade is a dynamic composition of a taut bay window juxtaposed with projecting balconies that provides an overall balance of scale and texture.

PARK (SOUTH) FAÇADE:

- The park façade is conceived as a multi-dimensional ‘tapestry’, providing a simple, yet nuanced backdrop for the park composed of planes and layers of glass, perforated copper, steel, and landscape planting.
- Balconies are an essential social, technical and visual design element:
 - to provide a space for outdoor enjoyment for residents
 - to create a buffer between public and private uses
 - to provide solar shading on the southern exposure
 - to soften the transition to the building façade by providing a ‘mask’
- Columns of copper (formerly glass) are perforated to enhance the ephemeral quality of the south facade while provide shadow and relief, and to create a material dialogue with the Serra sculpture. These elements terminate below the top 2 floors of the building give the south elevation a distinct ‘top’ that references the height of the Alexandria and reduces the scale of the façade.
- The south façade is technically precise in its detailing, expressive of its assembly, exposing the method of its construction, expressing the parts that make up the whole and lending a fineness through the craft of construction to humanize its machine like qualities.
- Over time, a live façade creates a new and organic layer of vines to soften and blend the structure into the landscape of the park, demonstrating the passage of time through its growth and changing colors with the seasons.

WESTERN AVENUE (EAST) FAÇADE:

- The main entry of the building is signified by the two story glazing of the double height lobby inset under a tall bay window formed by the south façade turning the corner.
- The visual connection to the lobby provides an active relationship between the street and the interior program.
- A canopy at the front door provides human scale and weather protection.
- The tall slender silhouette of the façade is composed of bands expressing stacked dwelling units to accentuate its thin profile, and resolves the transition from the heavier north façade to the lighter south façade as the stone turns in to form the undercut space at the lobby, and continues above the low south cornice to bracket the mechanical screen wall.
- The facade is activated by a dynamic interplay of sculptural elements which create compositional variety by balconies, the bay window, the ‘jewel’ of the lobby, and deep set windows within the stone wall.
- The stone coursing is organized in vertical bands with a modulated vertical dimension. This composition creates a sense of vertical movement and lightness as the textured warm color stone plays against the sleek planes of glass.

BAY STREET (NORTH) FACADE:

- The narrow site, made narrower by a voluntary fifteen foot setback, requires the building plan to be single-loaded, which results in mechanical uses, vertical conveyance, exit stairs, and structural shear walls being located along the north façade by necessity.
- Residential units extend east and west along the façade as far as possible given the structural and vertical service requirements of the structure, and are set within the stone forms that comprise the western and eastern volumes of the project as it steps down the hill.
- Balconies extend partially within the larger scale expression of the gathered windows, to register another scale within the larger gesture and create an active composition.
- The height step down at the roof top mechanical screen is resolved through a formal device that acts as a visual ‘zipper’ to allow the visually heavier stone forms to read as smaller masses.
- The heavily textured warm colored stone coursing is organized in vertical bands of constant width with a modulated vertical dimension. This composition creates a sense of vertical movement.
- The portions of the stone form which cannot have windows due to the services within the building are treated as a “light mural” comprised of a grid of dichroic glass fins which project perpendicular to the exterior wall and cast ever changing bands of colored light onto this façade as the sun tracks across the façade at low angles through early morning and late afternoon.
- The dynamic and ever changing effects of play of color and light across the façade should offer a beautiful experience that subtly registers the presence of art within the City.

C-5 ENCOURAGE OVERHEAD WEATHER PROTECTION

- A glass canopy is provided at the building entry on Western Avenue and at the town homes on Elliott Avenue.

D-1 PROVIDE INVITING AND USABLE OPEN SPACE

- To the north of the project 2,600 SF of at grade landscaping is added to replace what is currently surface parking.
- At the southeast corner the project steps back significantly to create an inviting and usable open space transition to the park.

D-2 ENHANCE THE BUILDING WITH LANDSCAPING

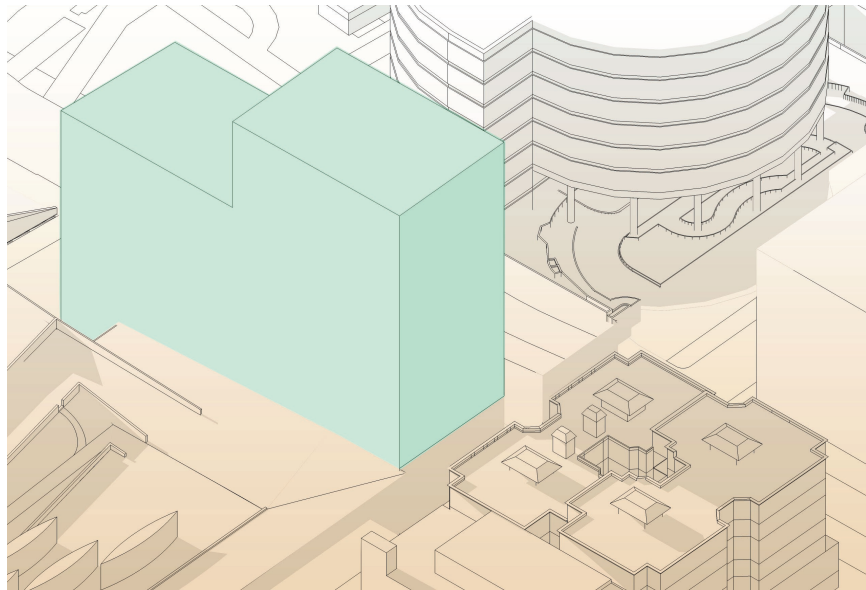
- Substantial landscape areas and planting is provided with the project. All landscape design and plant selections have been made with the intent to enhance the building, the public realm, and to effectively create a transition to the park.
- Park facing residential terraces - a raised planting area is provided continuously along the park edge to clearly delineate and soften the transition between the building and the park with a zone of planting. Additional raised planting areas are provided between terrace level residential units to provide a natural definition of individual dwelling spaces. Plantings include deciduous trees to give vertical scale to this zone, and to further screen the first story of the building, softening the transition to the structure.
- Park facing façade: the park facing façade is designed with an integral armature to create a “living wall”, which allows vines to grow within the vertical copper panels of the structure between dwelling units. The vines exhibit seasonal color, and are selected for their hardiness, and ability to grow to the heights indicated in the drawings.
- The shared residential roof terrace provides additional landscape for the enjoyment of the residents.
- Western Avenue: a planting zone is established along Western Avenue in front of the building, widening as it turns the corner to the park, to enhance the pedestrian experience and to visually soften the transition to the park.
- Elliott Avenue: a planting zone is established along Elliott Avenue in front of the building, between the town home stoops to enhance the pedestrian experience and to visually soften the transition to the park.
- Bay Street is conceived as an extension of the park in function, spirit, and detail, providing an accessible landscape to connect Elliott Avenue with Western Avenue.

D-6 DESIGN FOR PERSONAL SAFETY AND SECURITY

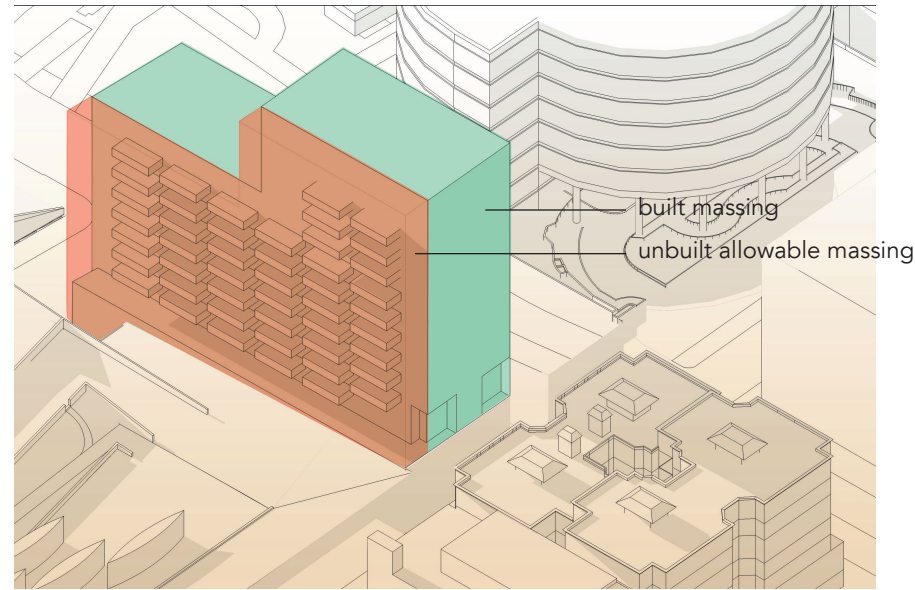
- The space of Bay Street will be improved, providing an inviting pedestrian path and landscaped space to encourage human activity, and improving the separation between vehicle and pedestrian traffic.
- Exterior pedestrian and landscape lighting is provided throughout to enhance the safety security of the project at night.
- Along the OSP, the proposed design creates a clear distinction and separation between private and public uses by providing a buffer zone of planting and open space.
- The establishment of additional residences in the neighborhood which face all four compass directions reinforces the desirable urban of condition of placing “eyes on the street”, and enhances a sense of ownership of a 24/7 neighborhood.
- A sidewalk “bulb” is proposed along Western as a traffic calming measure, and to shorten the pedestrian crosswalk at Bay Street, in order to make pedestrian crossings safer.

E-2 VEHICULAR ACCESS AND PARKING: INTEGRATE PARKING

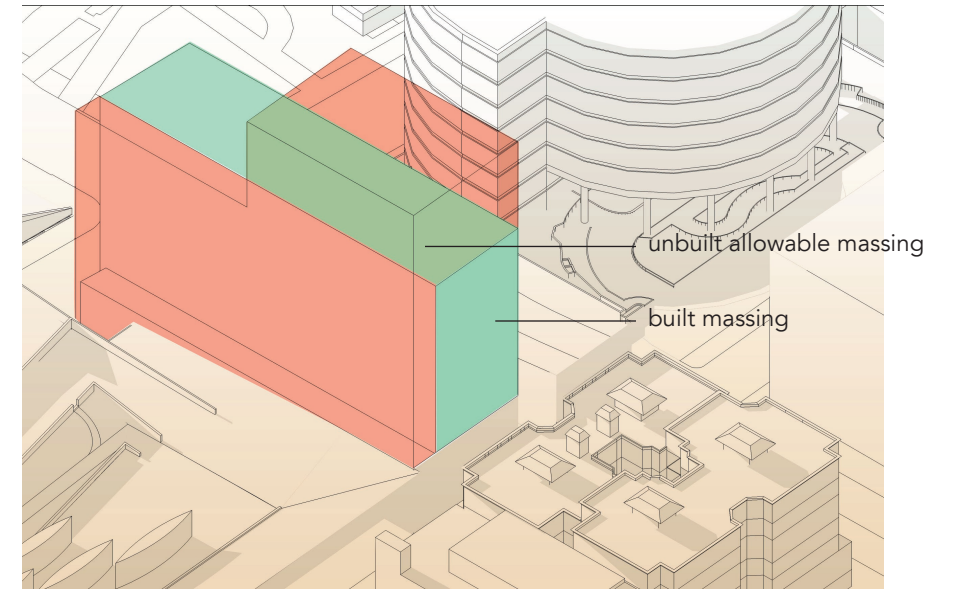
- All parking is integrated within the structure below grade and is not visible from public streets or sidewalks.
- Vehicle access points are integrated into the existing access from Western Avenue, and no new curb cuts are proposed.



zoning envelope

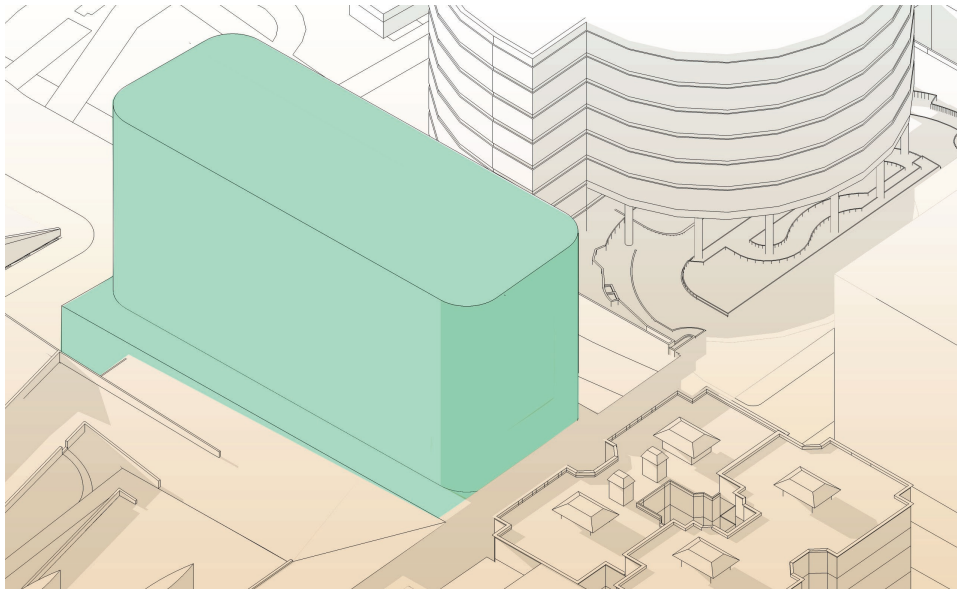


massing and design approved April 14, 2009

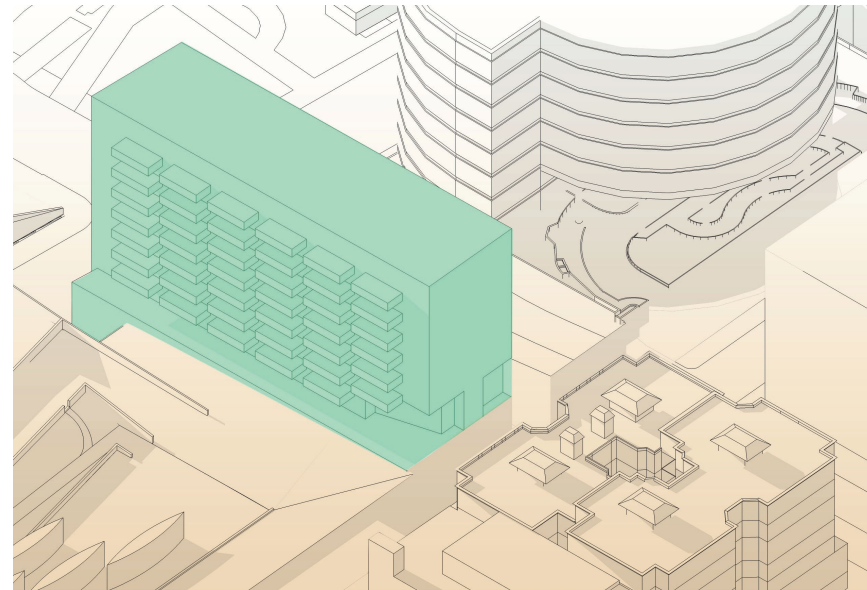


DRB recommended massing revision





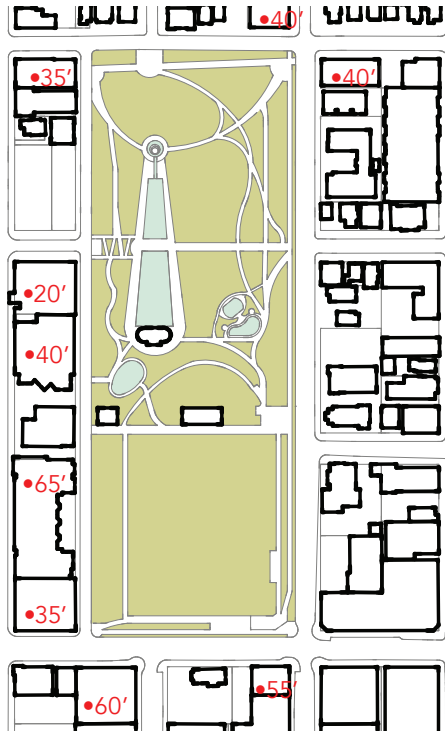
DRB recommended height, office program



DRB recommended massing, residential program



Cal Anderson Park 430' x 1,235'



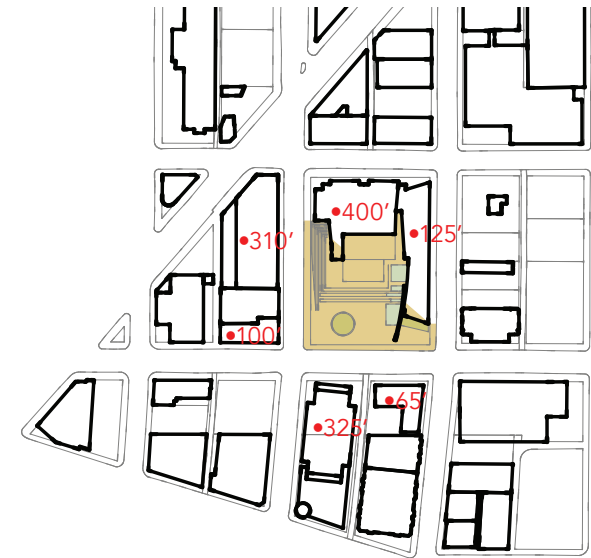
Westlake Plaza, 225' x 500'



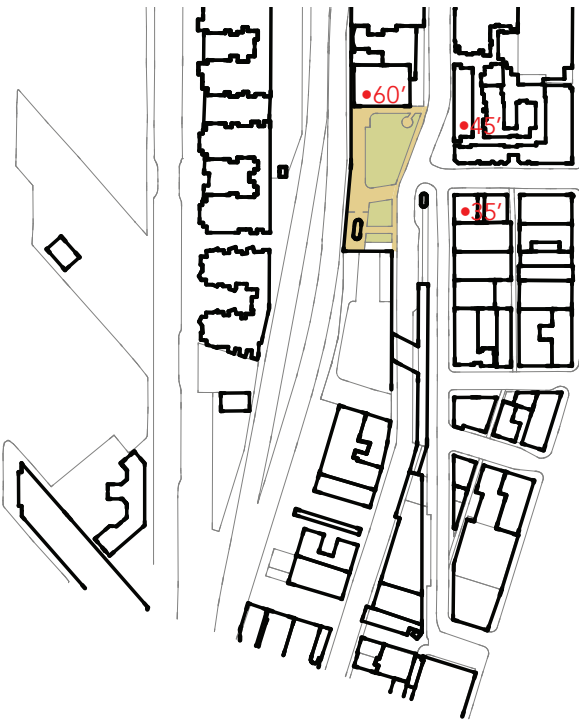
Occidental Park, 195' x 240'
Occidental Mall, 85' x 265'



5th and Madison Plaza, 220' x 70'
Seattle Courthouse Park, 120' x 230'
4th and Madison Plaza, 115' x 105'



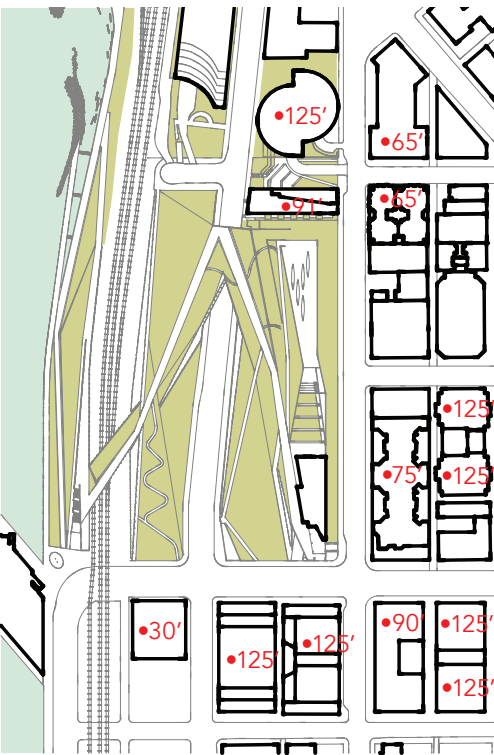
Seattle Federal Courthouse Plaza, 205' x 180'



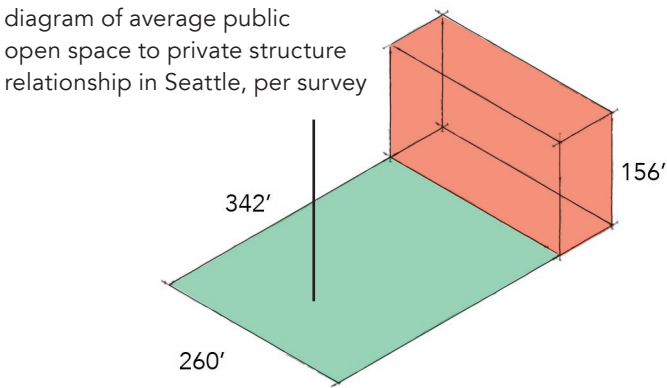
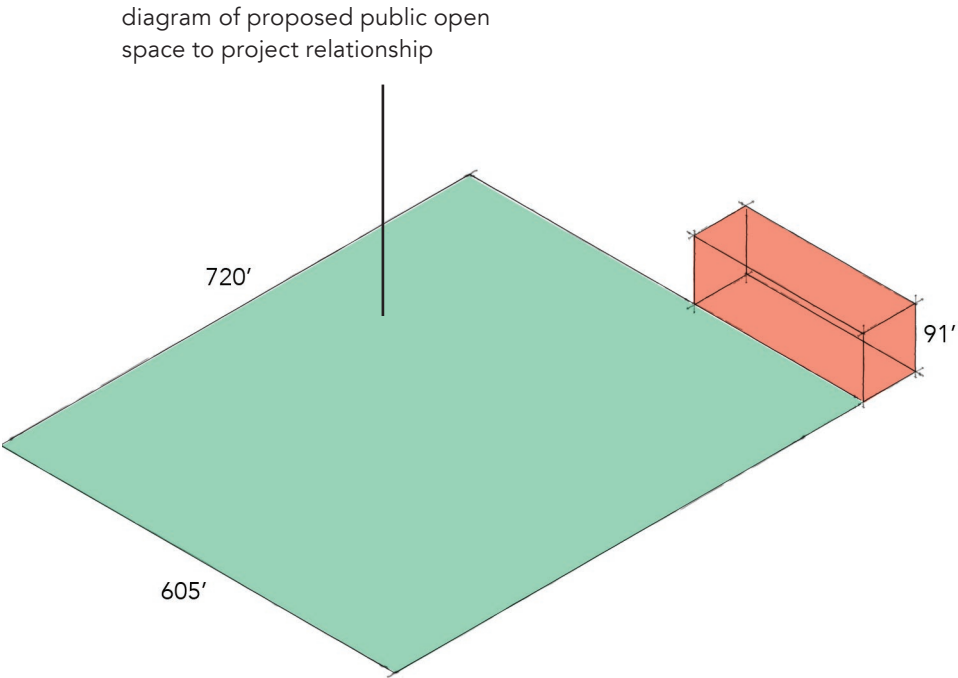
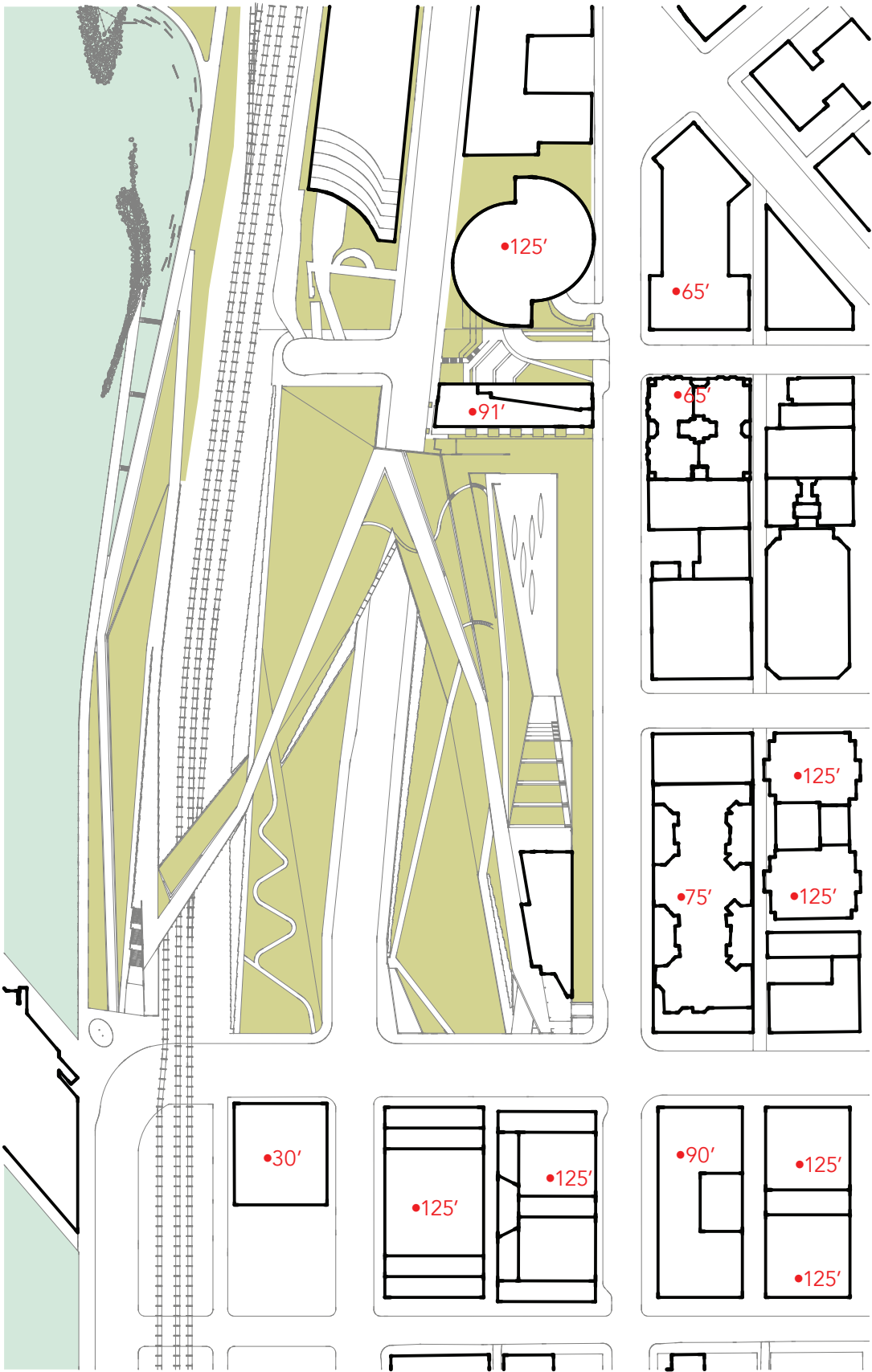
Victor Steinbrueck Park, 305' x 102'



Harbor Steps Plaza, 250' x 65'
Seattle Art Museum Plaza, 250' x 25'



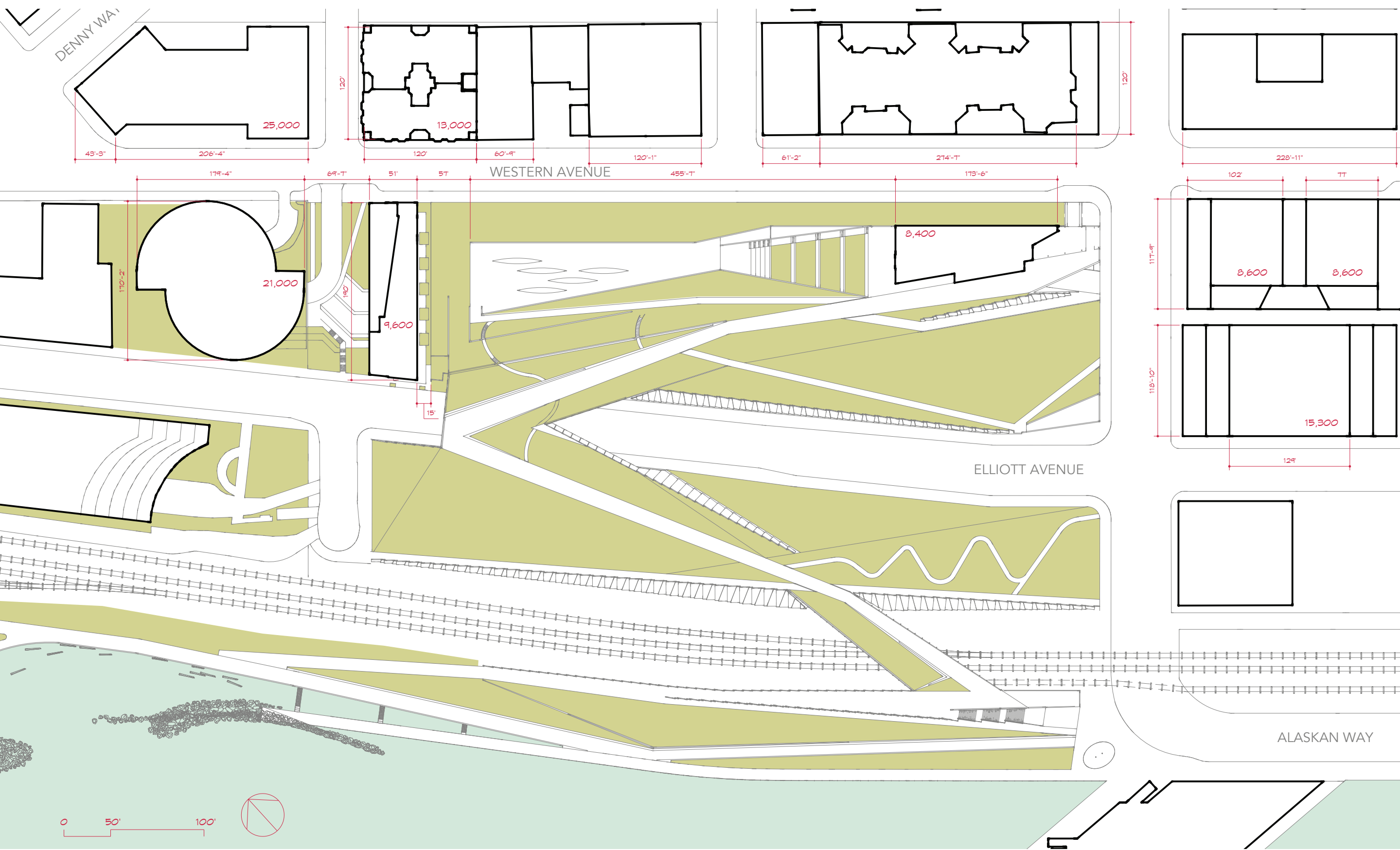
Olympic Sculpture Park, 605' x 720'

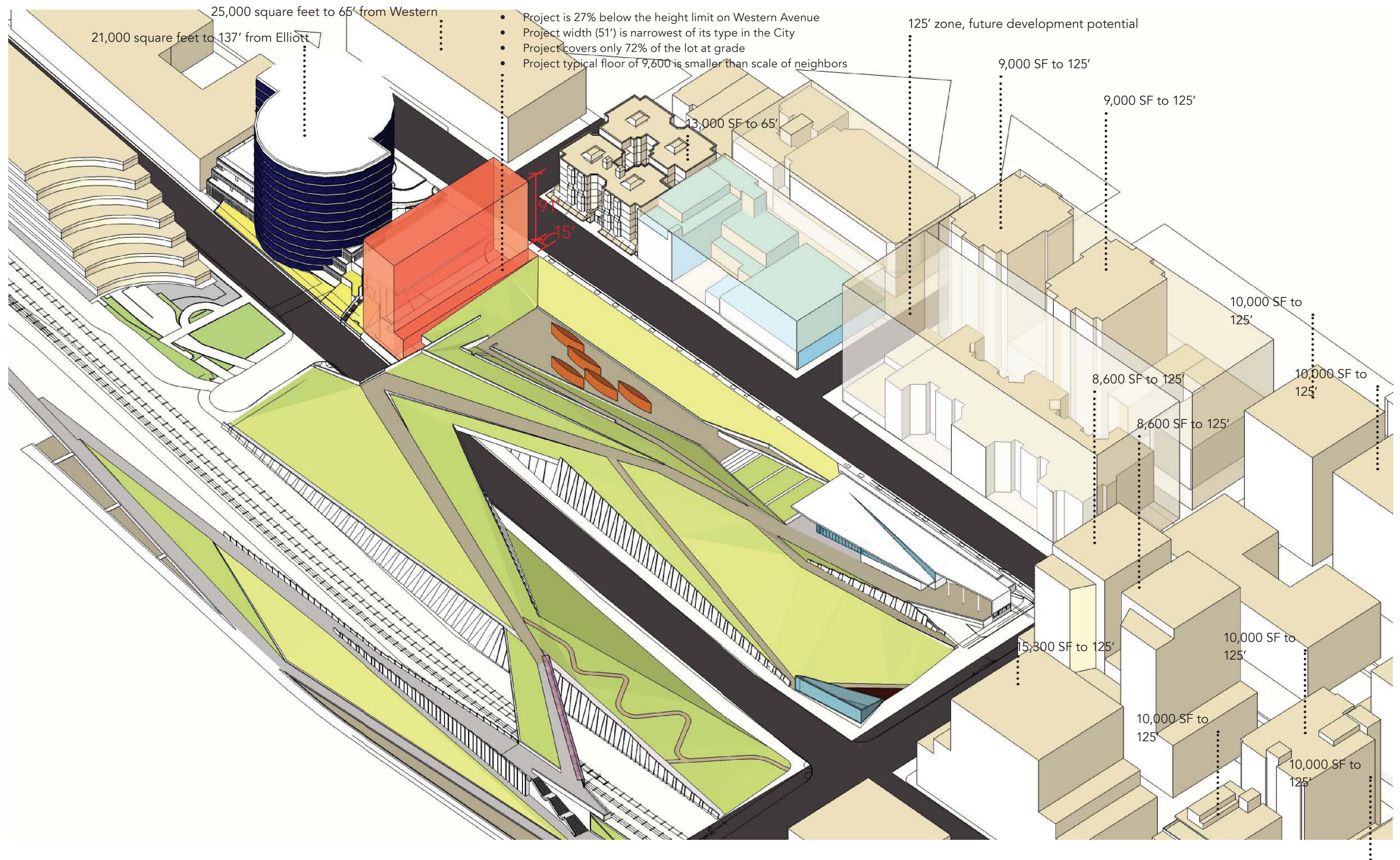


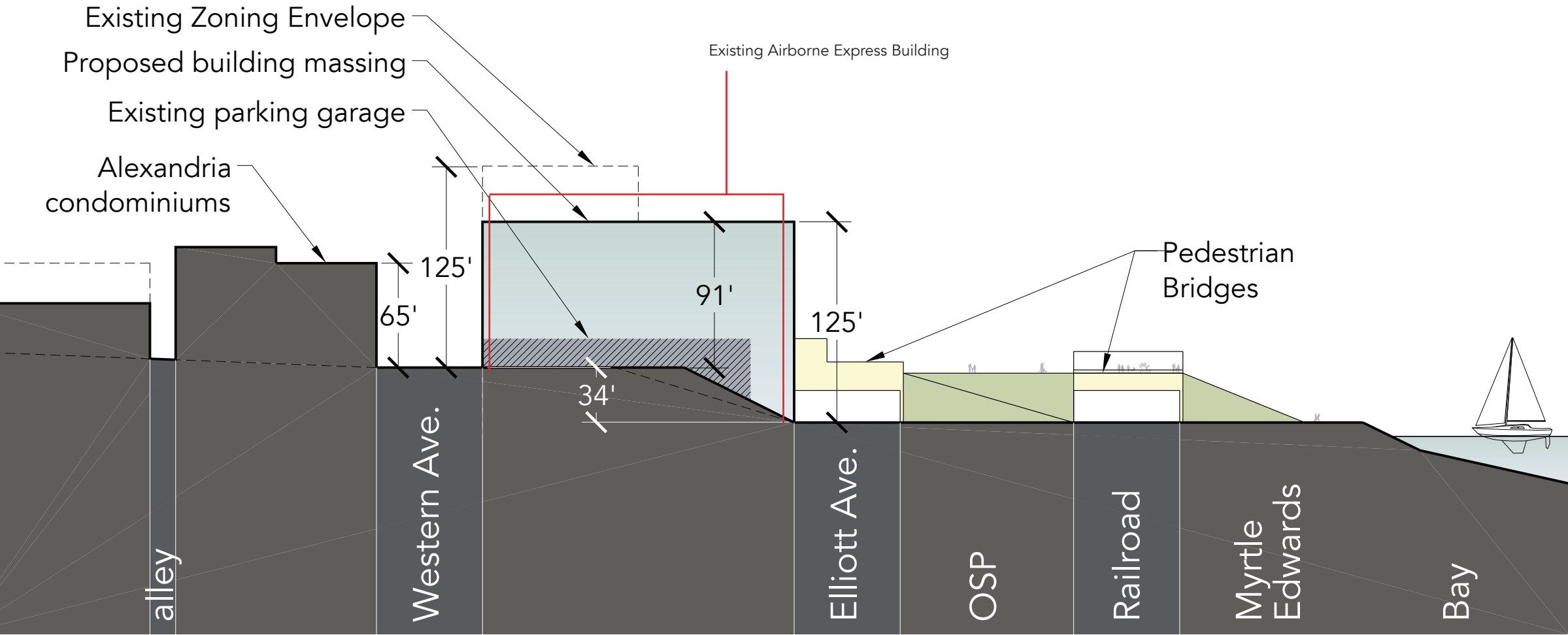
Olympic Sculpture Park
Open Space: 605' x 720'
Height Context: Varies
Use Context: Commercial, Residential
Edge Proximity: 15/55 Proposed

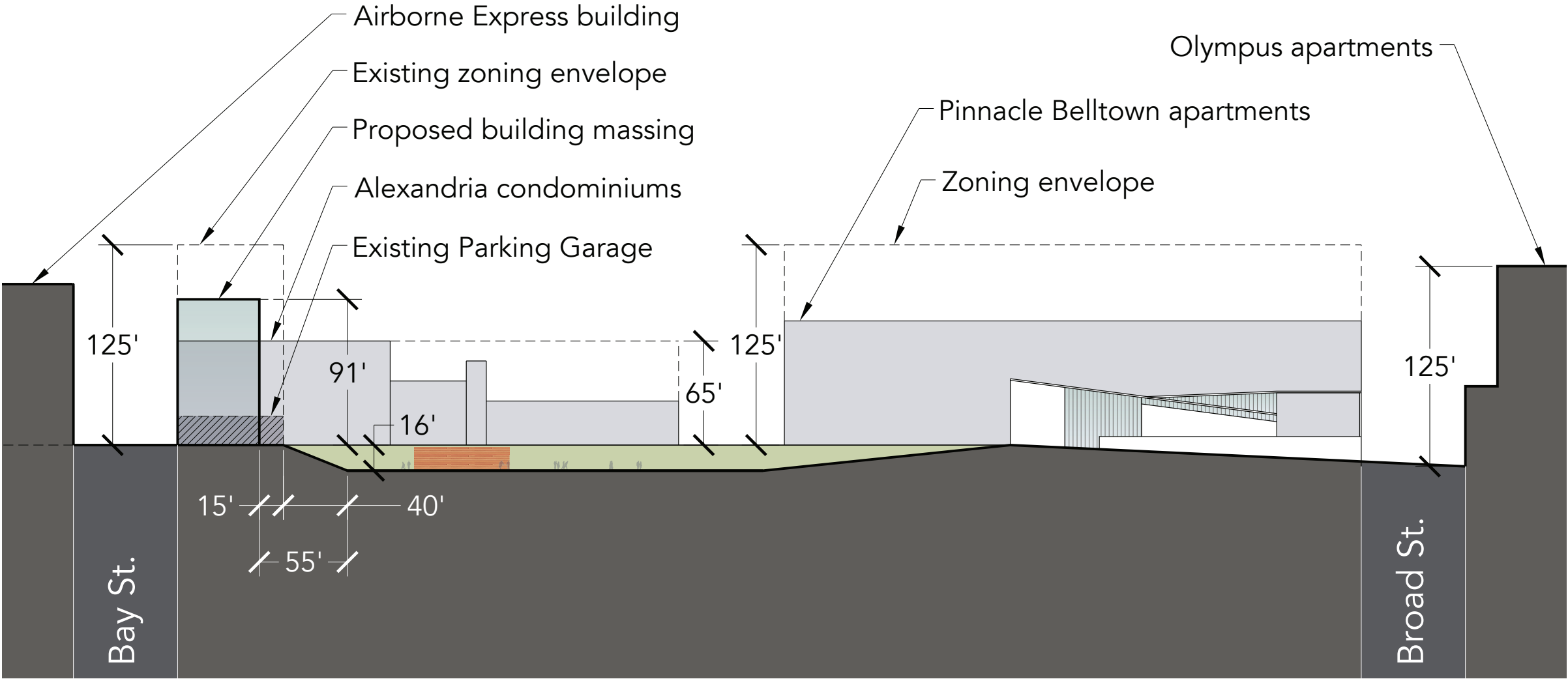
The table below summarizes the physical contexts of the seven successful Seattle open space precedents we examined. This direct comparison clearly demonstrates that the proposed project is shorter than the average context structure, and is adjacent to a larger open space, and provides a more generous setback from the edge.

Precedent	Open Space Context			Height Context (Average)	Edge Proximity	Use Context
	Width	Length	Area			
Cal Anderson Park	430 ft	1,235 ft	12.2 Acres	40	60 ft	Residential and commercial
Westlake Plaza	225	500	2.6	75	0	Commercial and retail
Harbor Steps Plaza	250	65	0.4	200	0	Residential and commercial
5th and Madison Plaza	220	70	0.4	395	0	Residential and commercial
Federal Courthouse Plaza	205	180	0.8	262	0	Commercial and civic
Victor Steinbrueck Park	305	102	0.7	60	0	Commercial, retail, residential
Occidental Park	195	240	1.1	58	0	Commercial and retail
Averages	261	342	2.1	156		
Proposed project	605 ft	720 ft	9.0 Acres	91	15/55 ft	





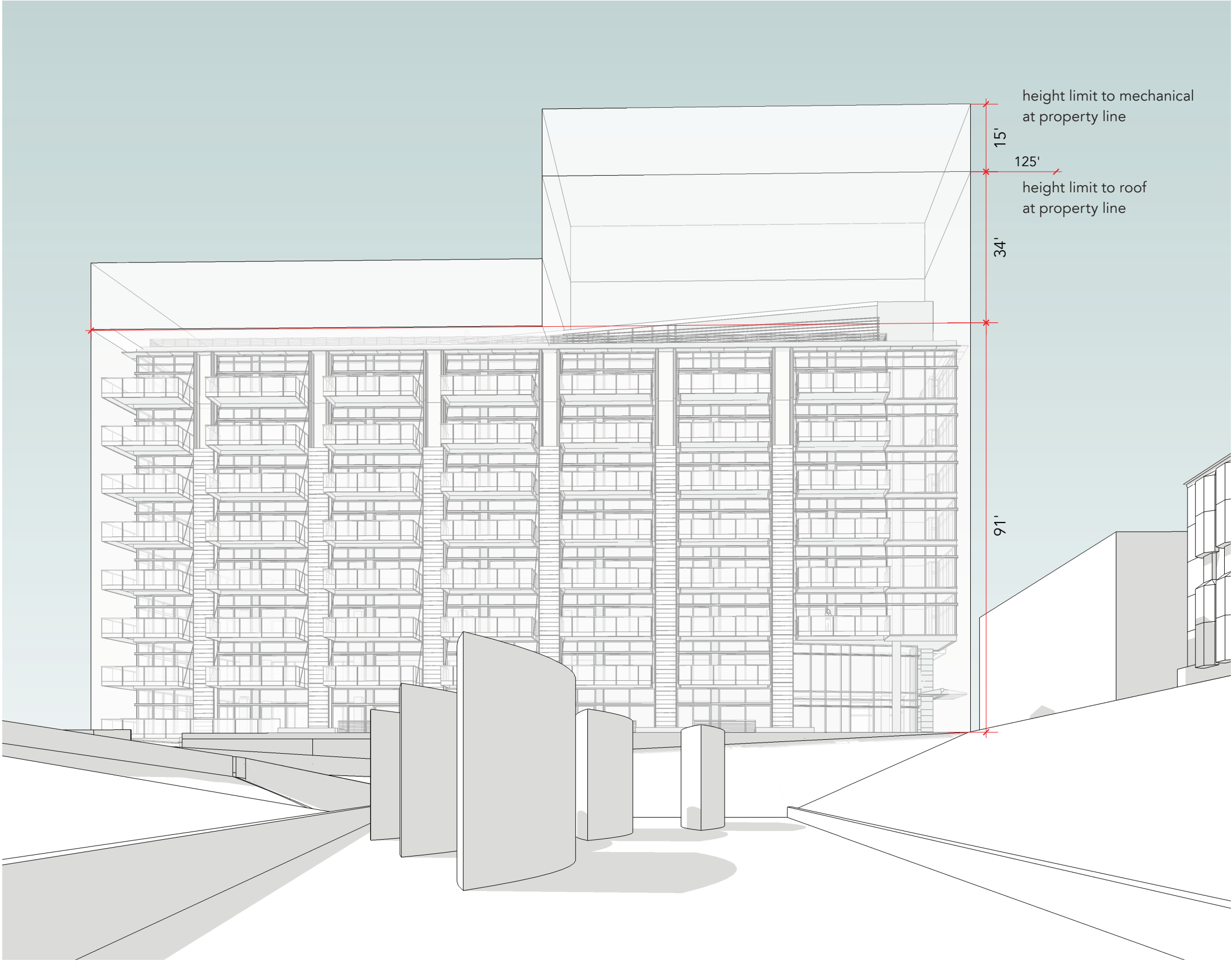


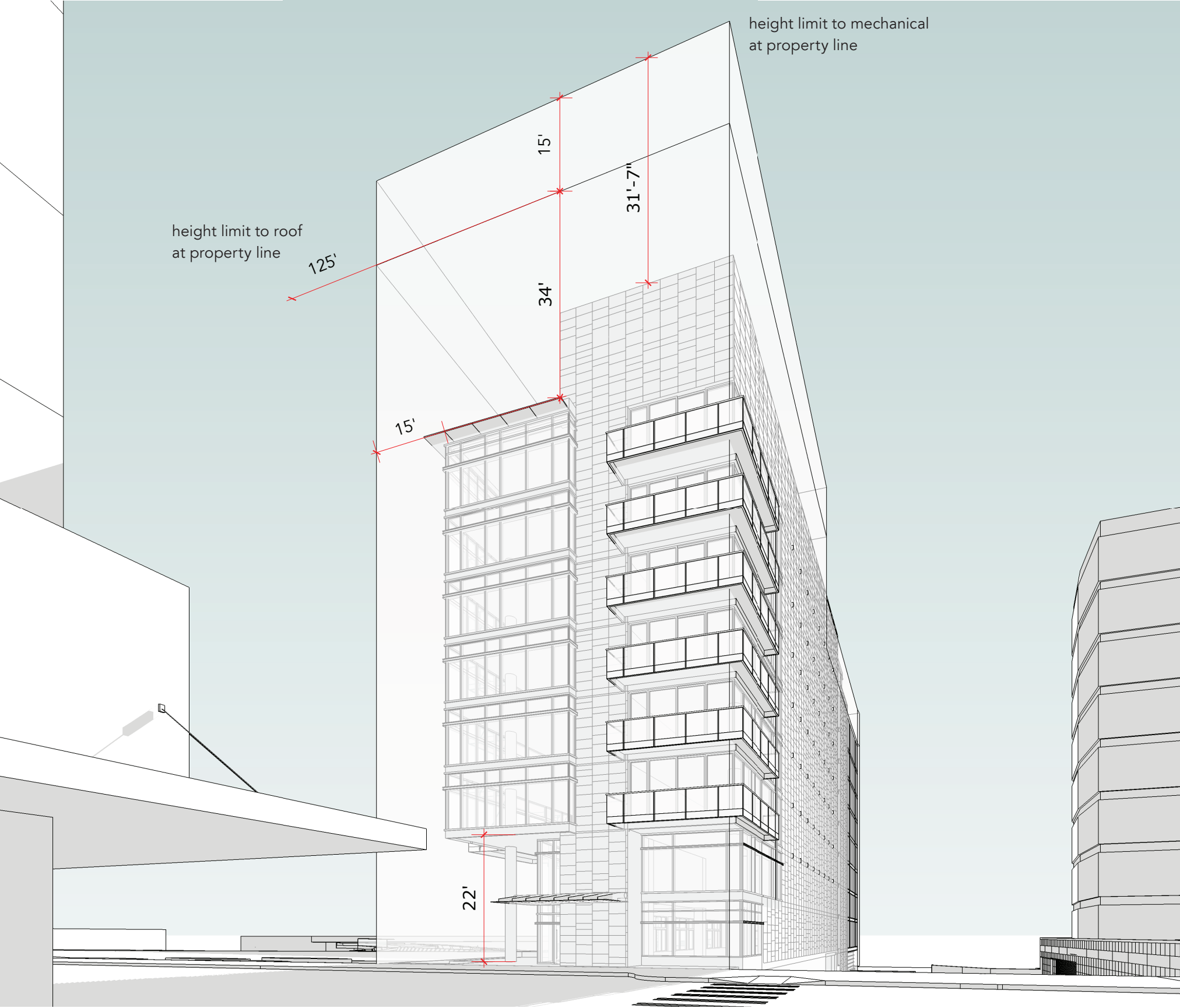


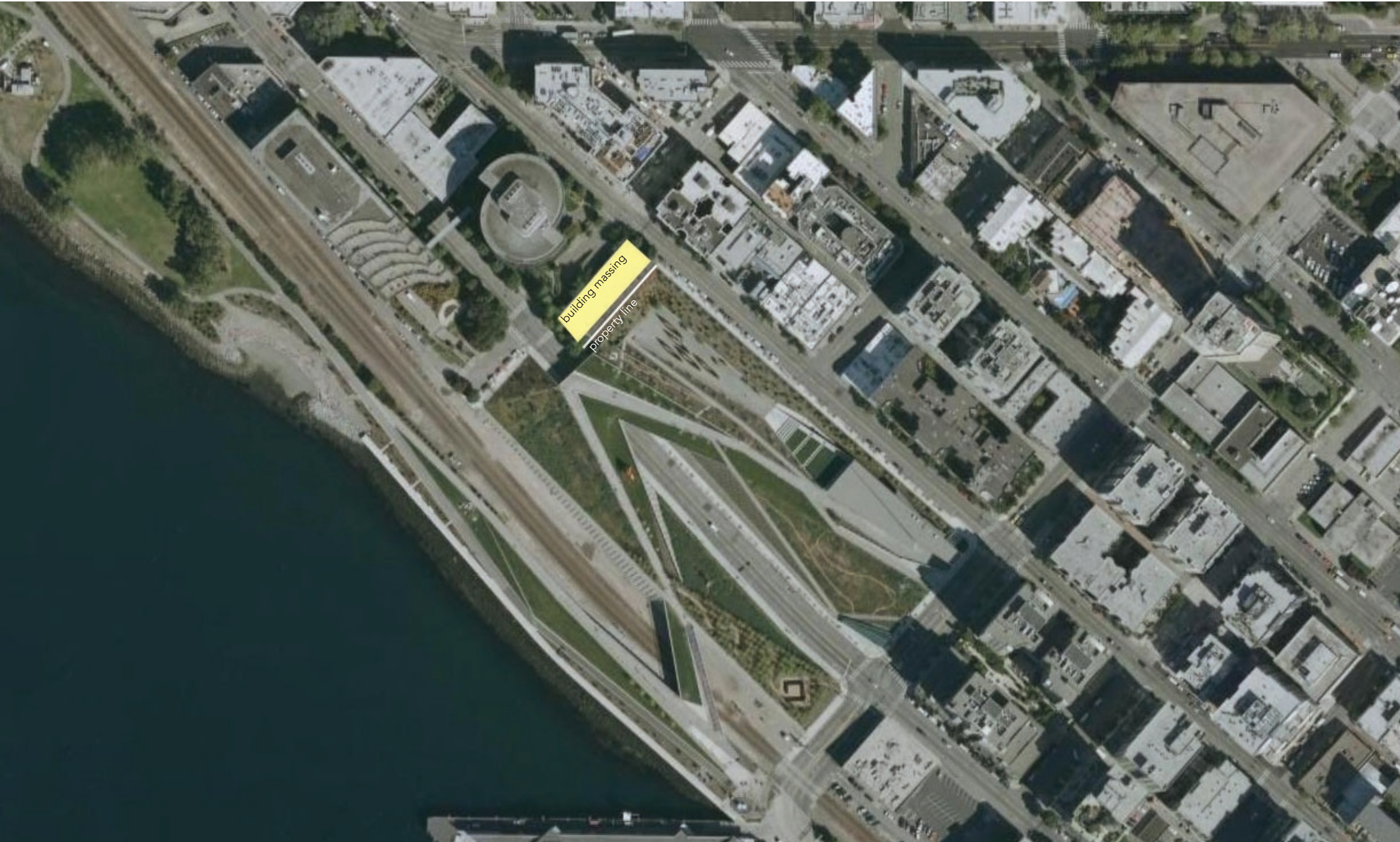
An urban site section through the Sculpture Park illustrates the relationship between the proposed building massing and the Park, and indicates the height and bulk of existing and future surrounding developments.

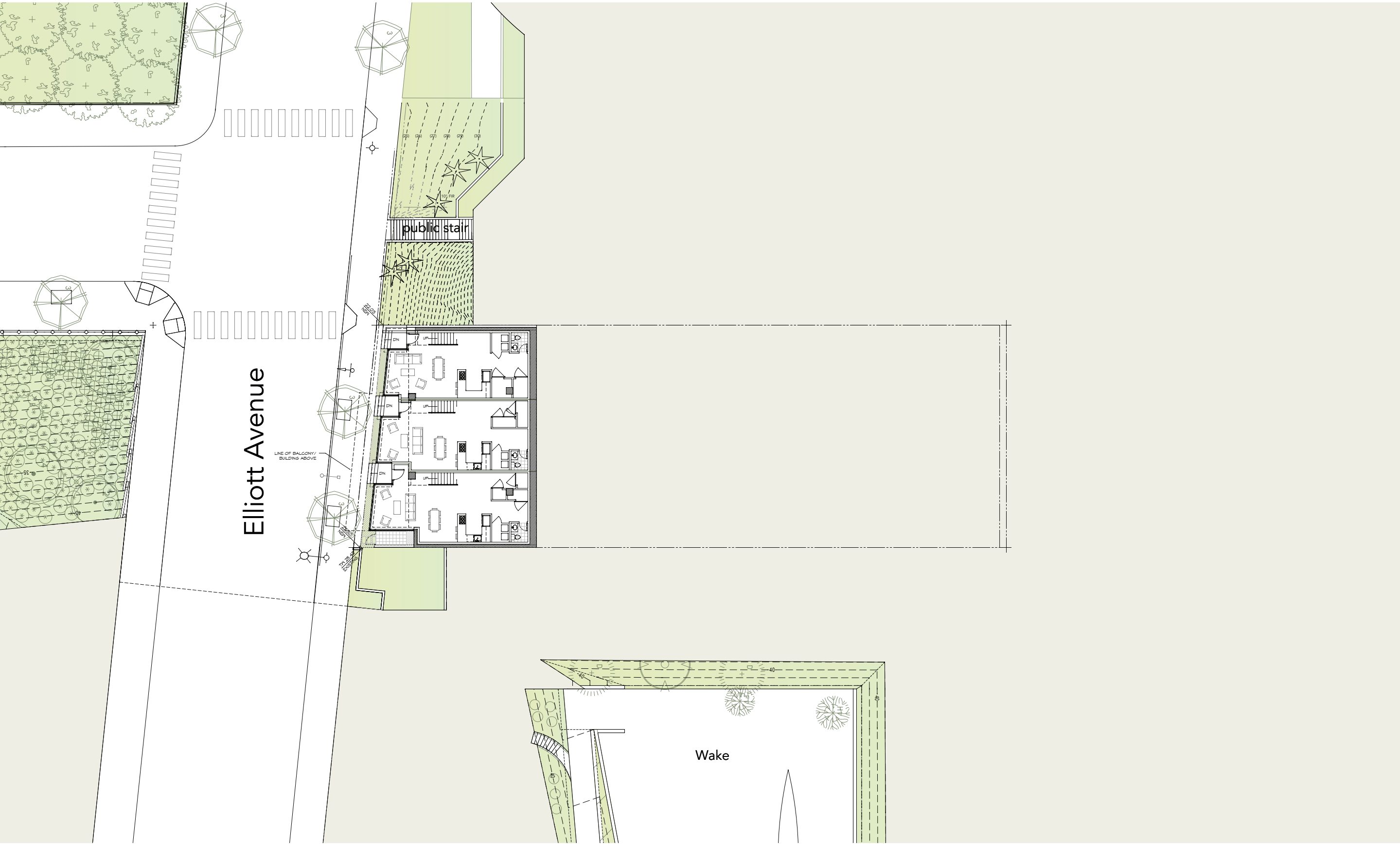
The proposed building mass steps back from the Sculpture Park property line 15' to establish a buffer of light and air, with a landscaped edge.

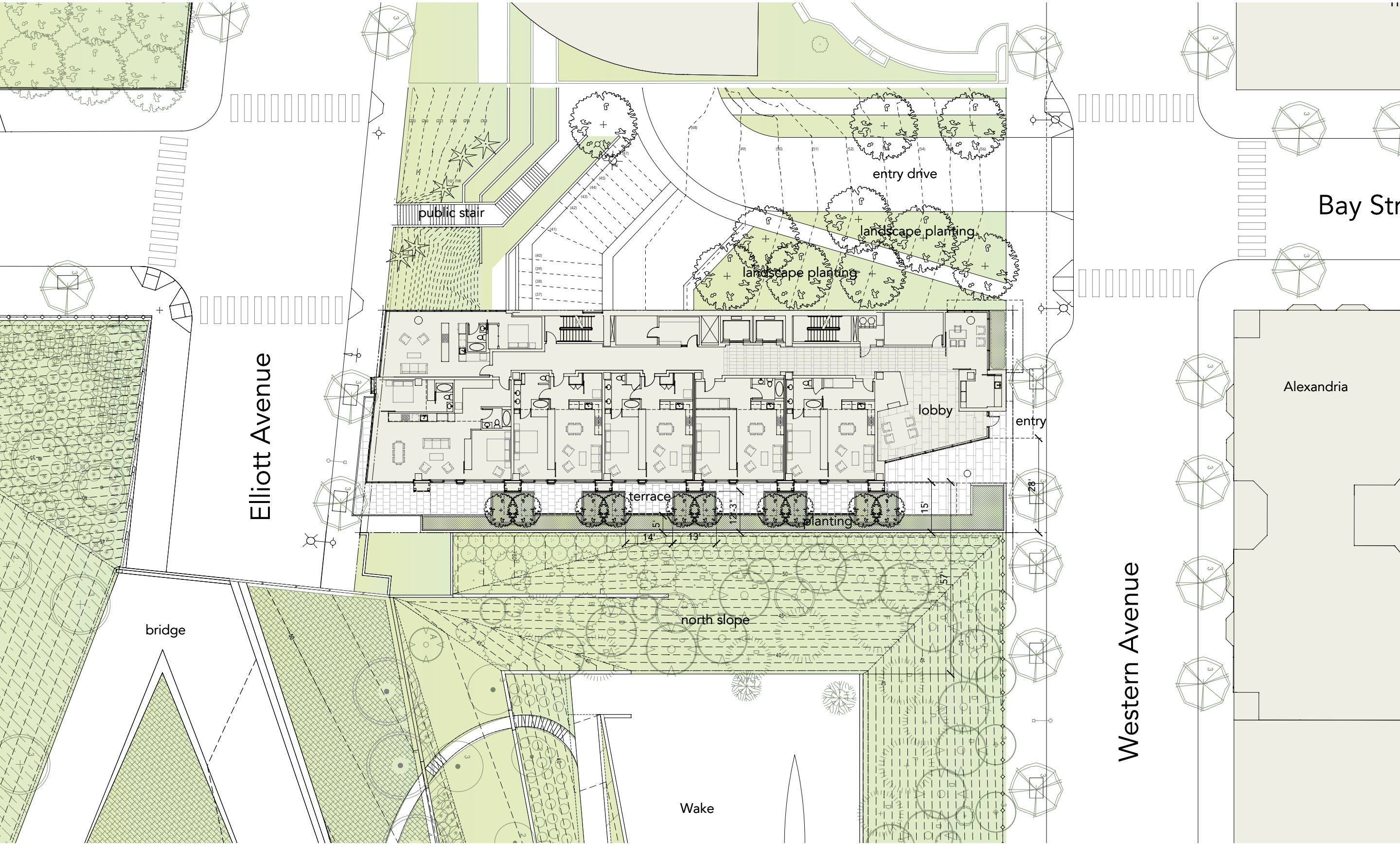
The proposed building mass is situated 55' from the northernmost occupiable portion of the Park, a spatial relationship comparable to adjacent building masses across the 66' right of way of Western Avenue.

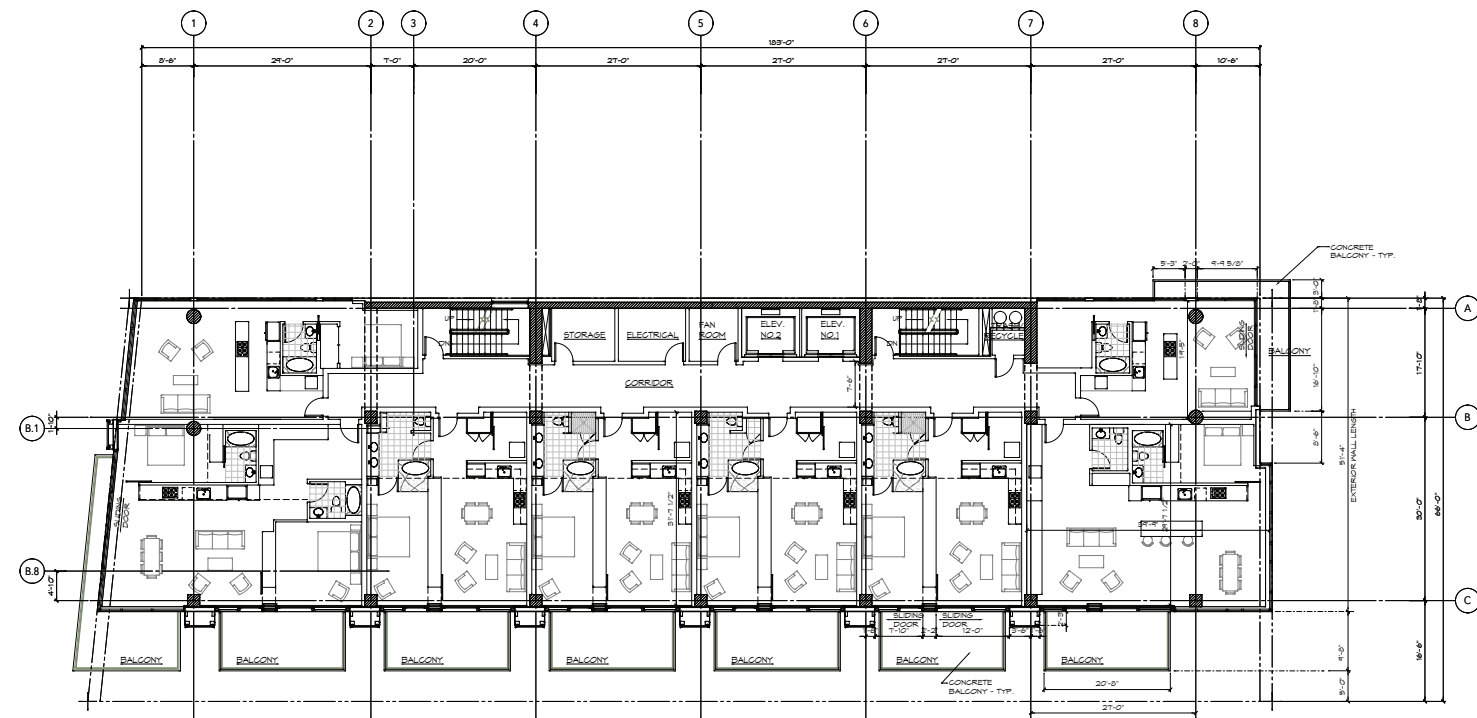


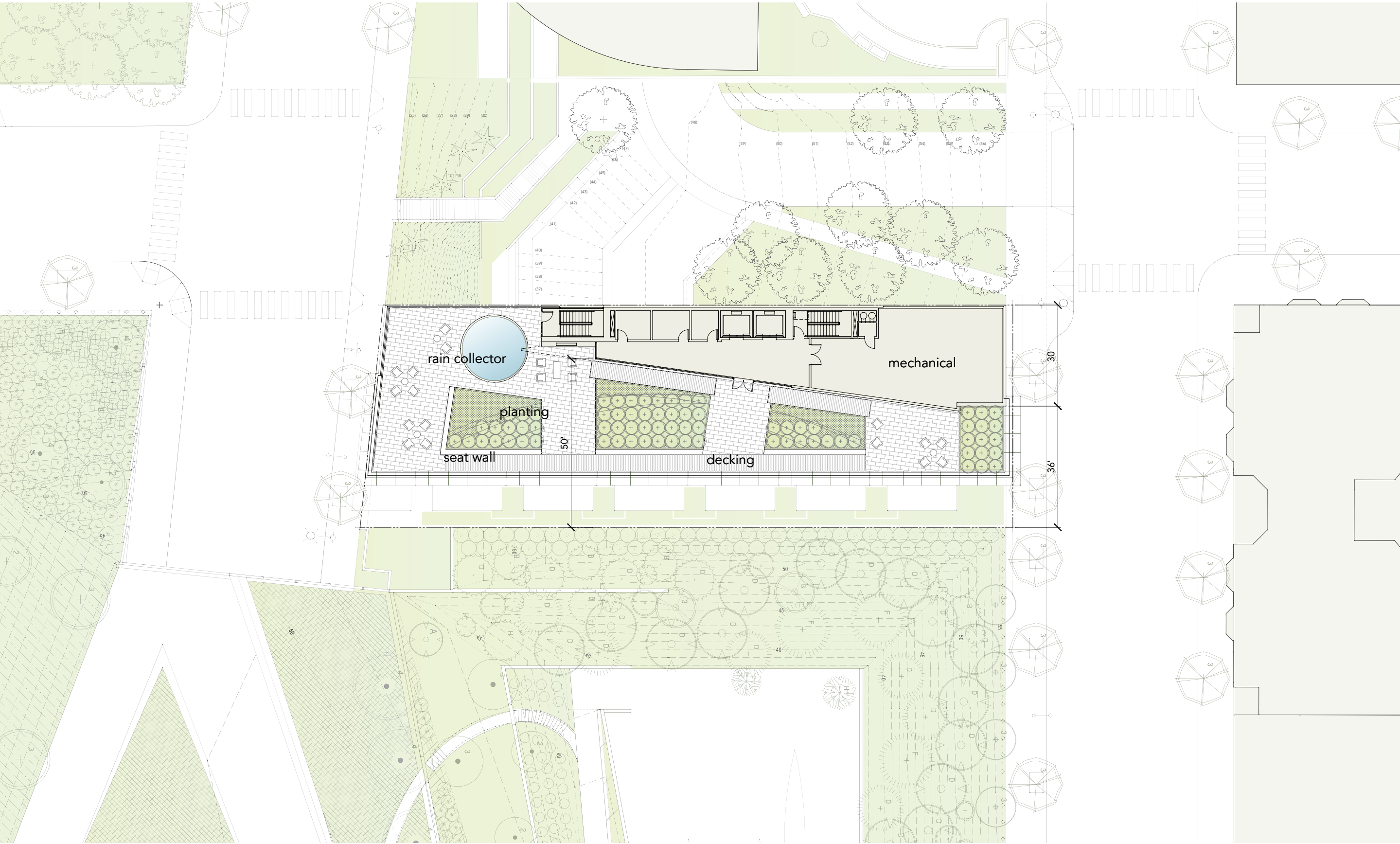


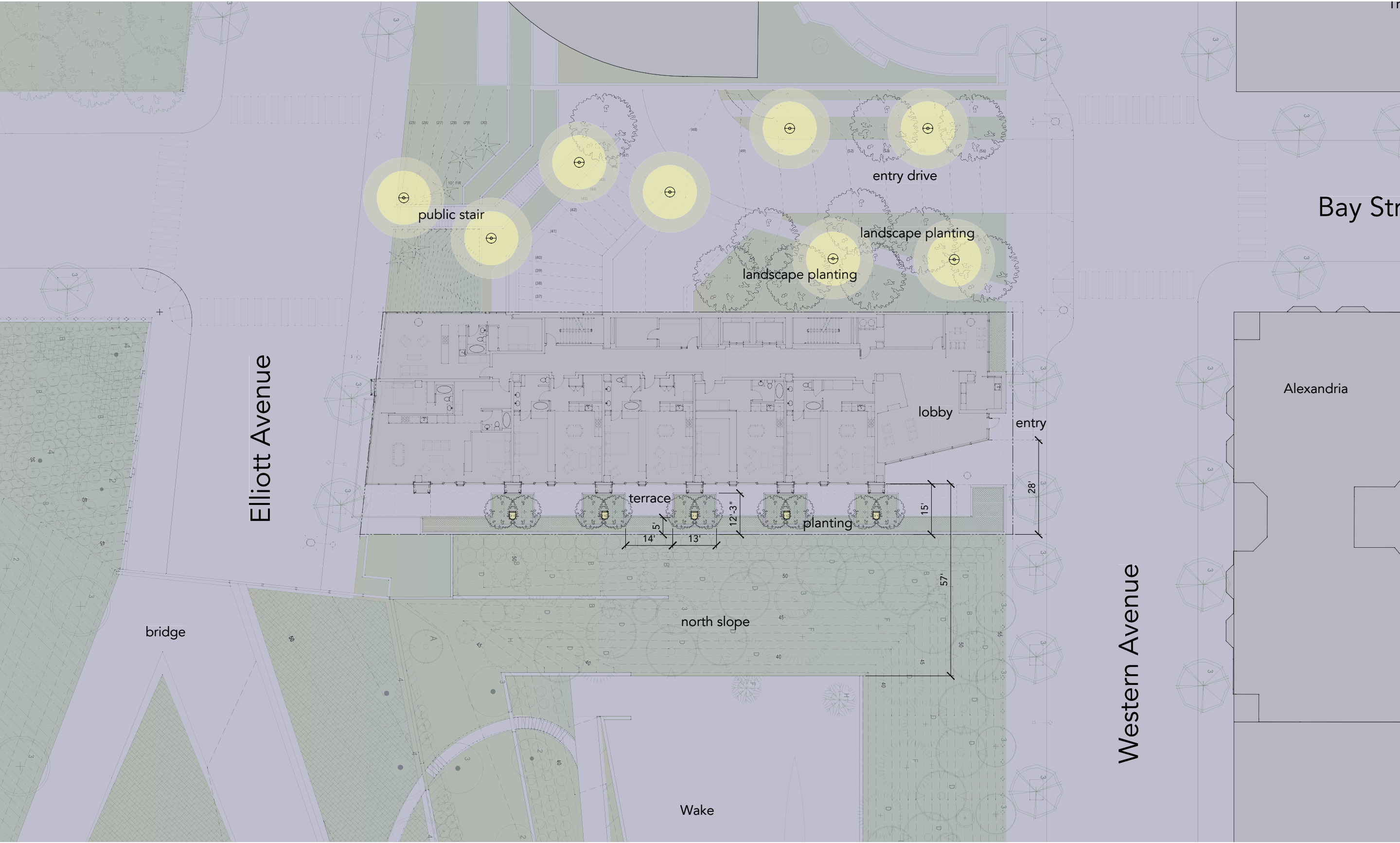


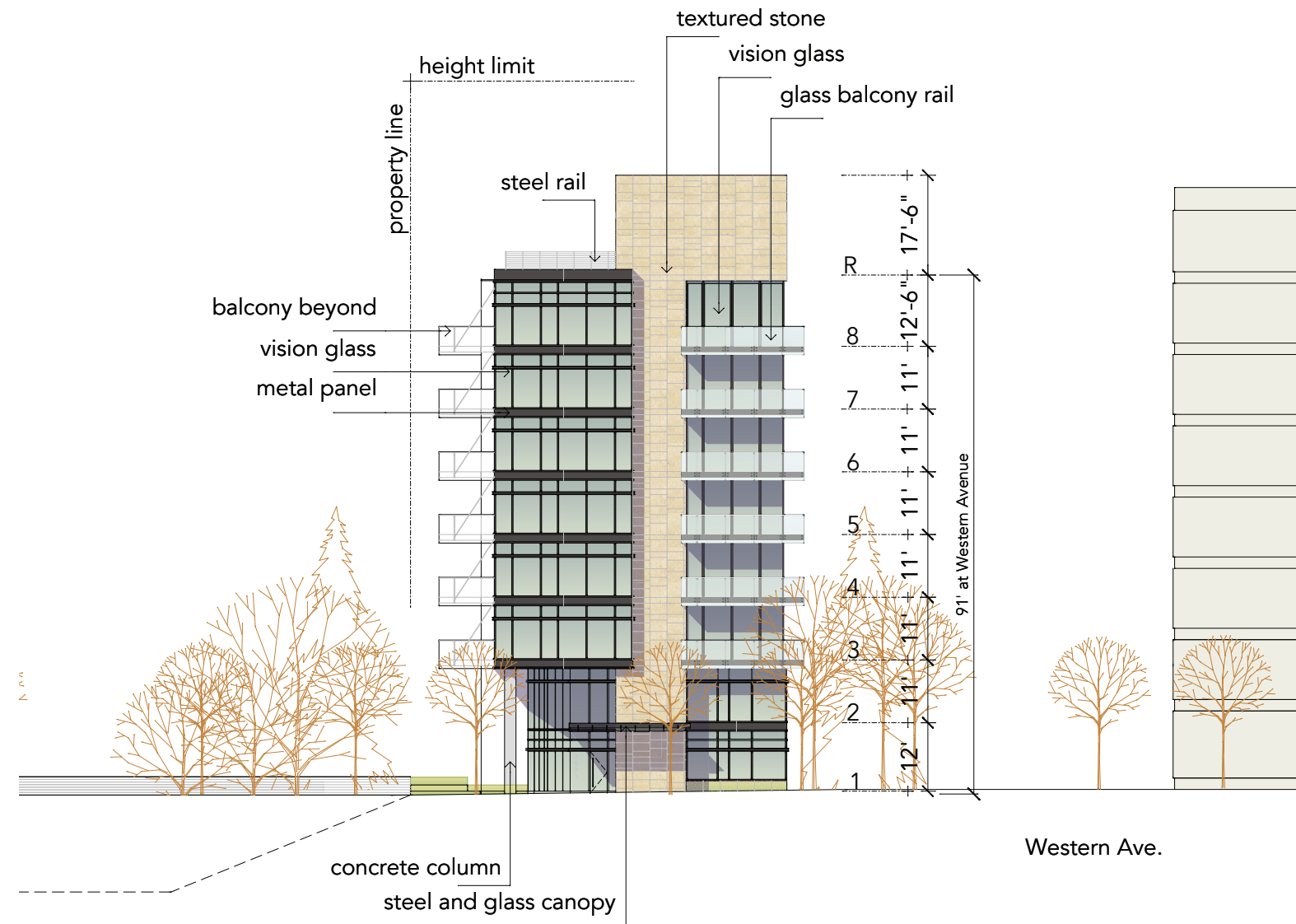
















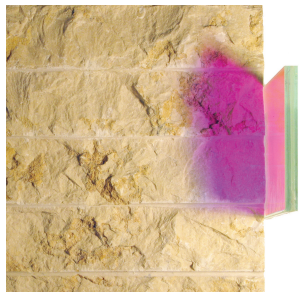








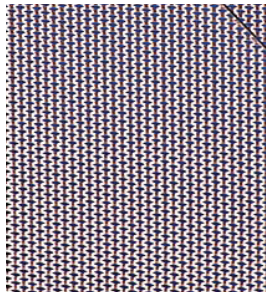
powder coated metal



stone & dichroic glass



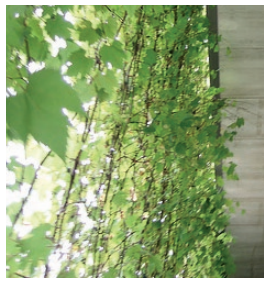
perforated copper



glass/copper inner layer



glass & shadow box



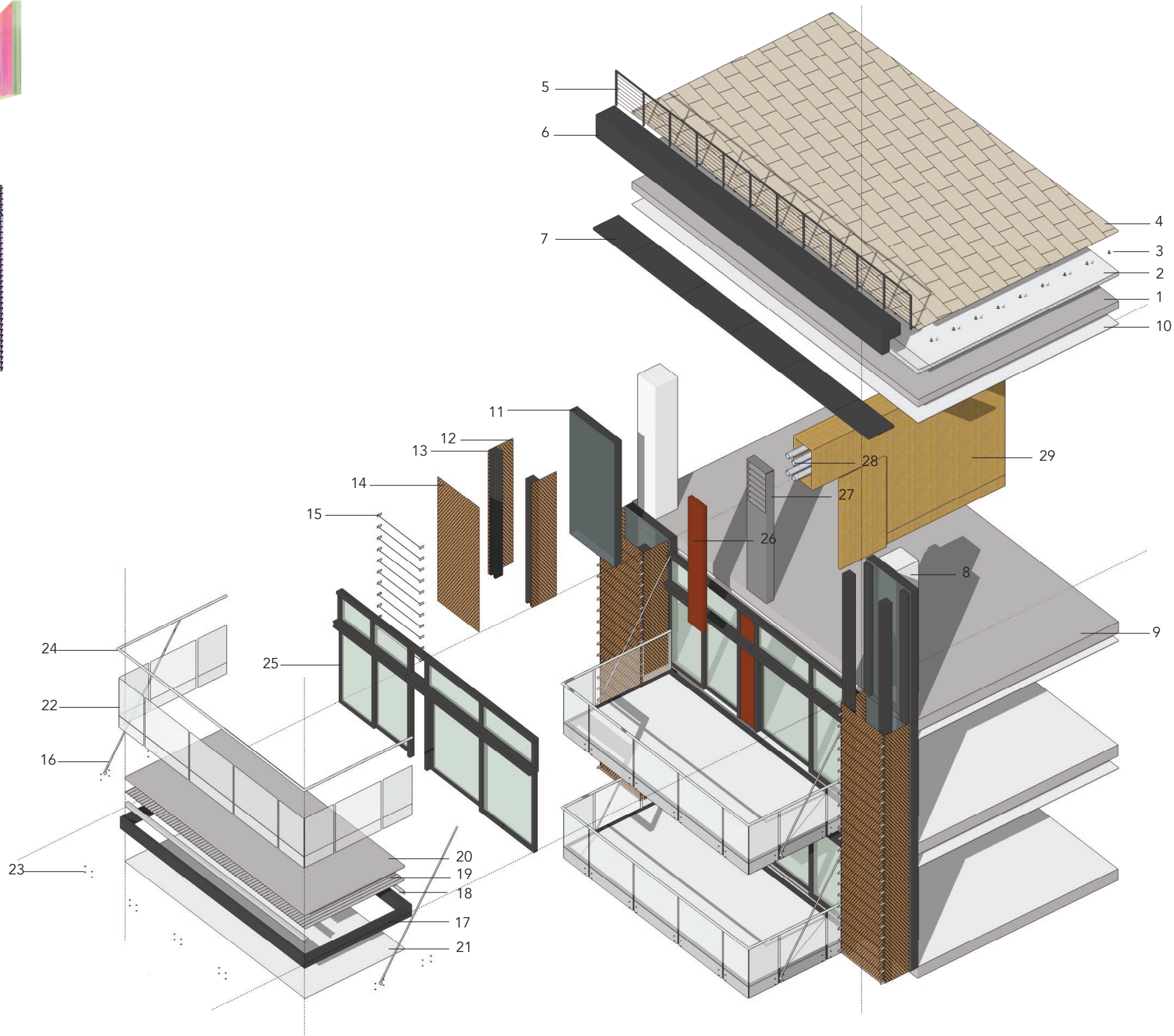
vines on armature



stainless steel fittings



stainless steel fittings



Roof Assembly

1. Concrete Slab
2. Rigid Insulation
3. Paver Pedestal
4. Paver

Cornice Assembly

5. Steel Railing
6. Metal Panel
7. Metal Panel

Floor Assembly

8. Structural Column
9. Concrete Slab
10. Furred Ceiling

Copper Column Assembly

11. Shadow Box
12. Perforated Copper Panel
13. Steel Tube
14. Perforated Copper Panel
15. Stainless Steel Vine Armature

Balcony Assembly

16. Stainless Steel Struts
17. Steel Tube Frame
18. Steel Angle
19. Steel Decking
20. Concrete Slab
21. Metal Panel Soffit
22. Glass Railing
23. Stainless Steel Fasteners
24. Stainless Steel Hand Rail

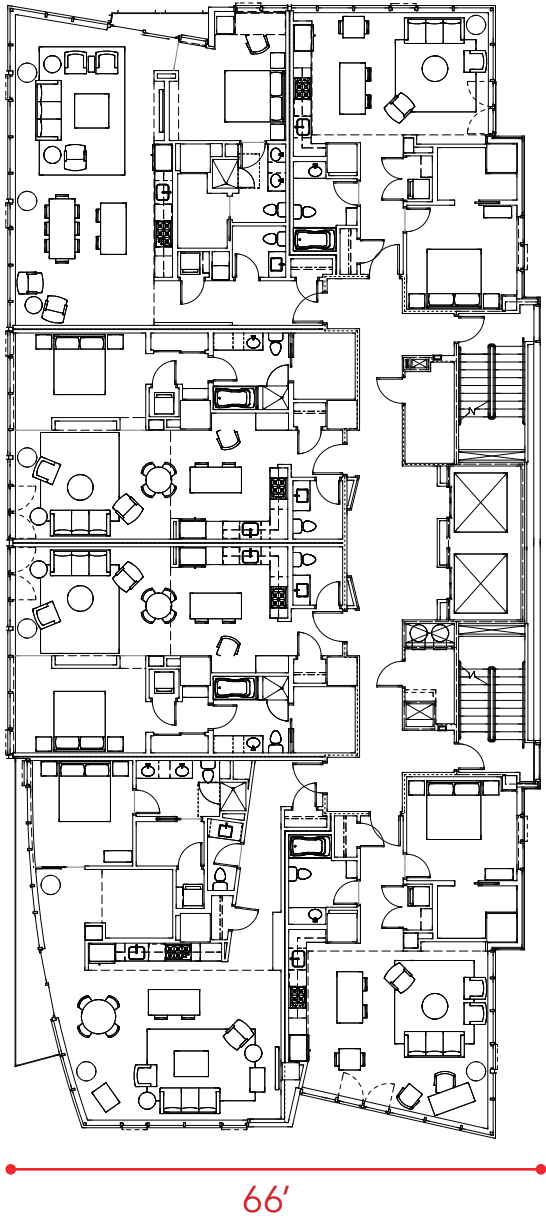
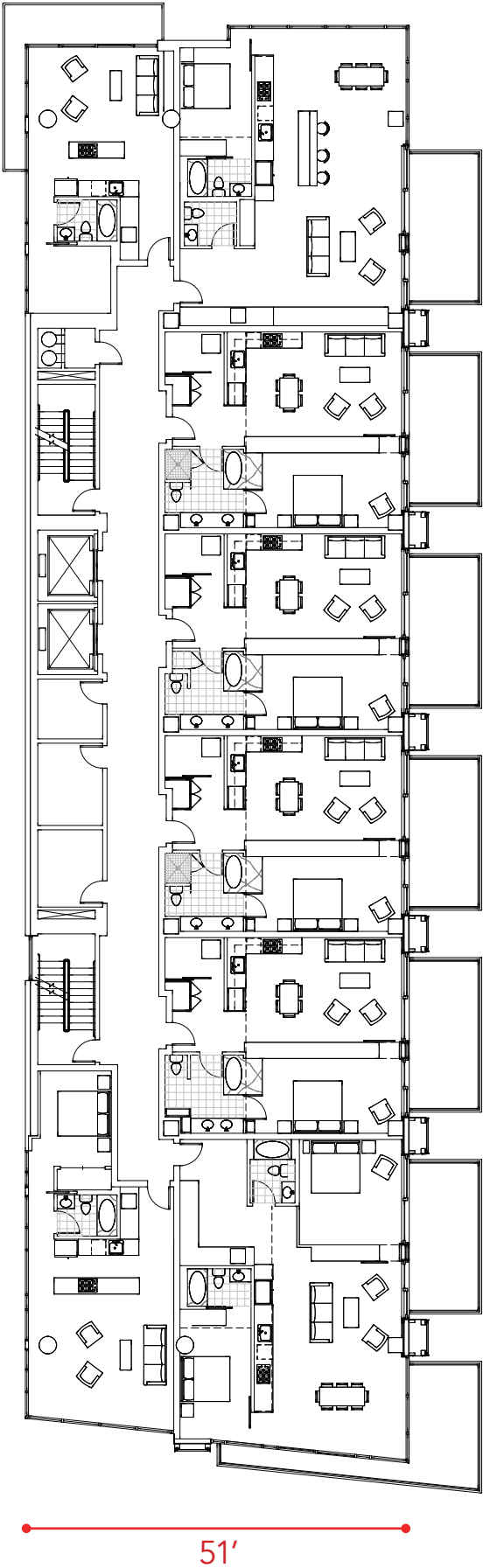
Wall Assembly

25. Sliding Window Assembly
26. Glass with Copper Inner Layer
27. Metal Panel with Exhaust Vent
28. Exhaust Ducts
29. Casework

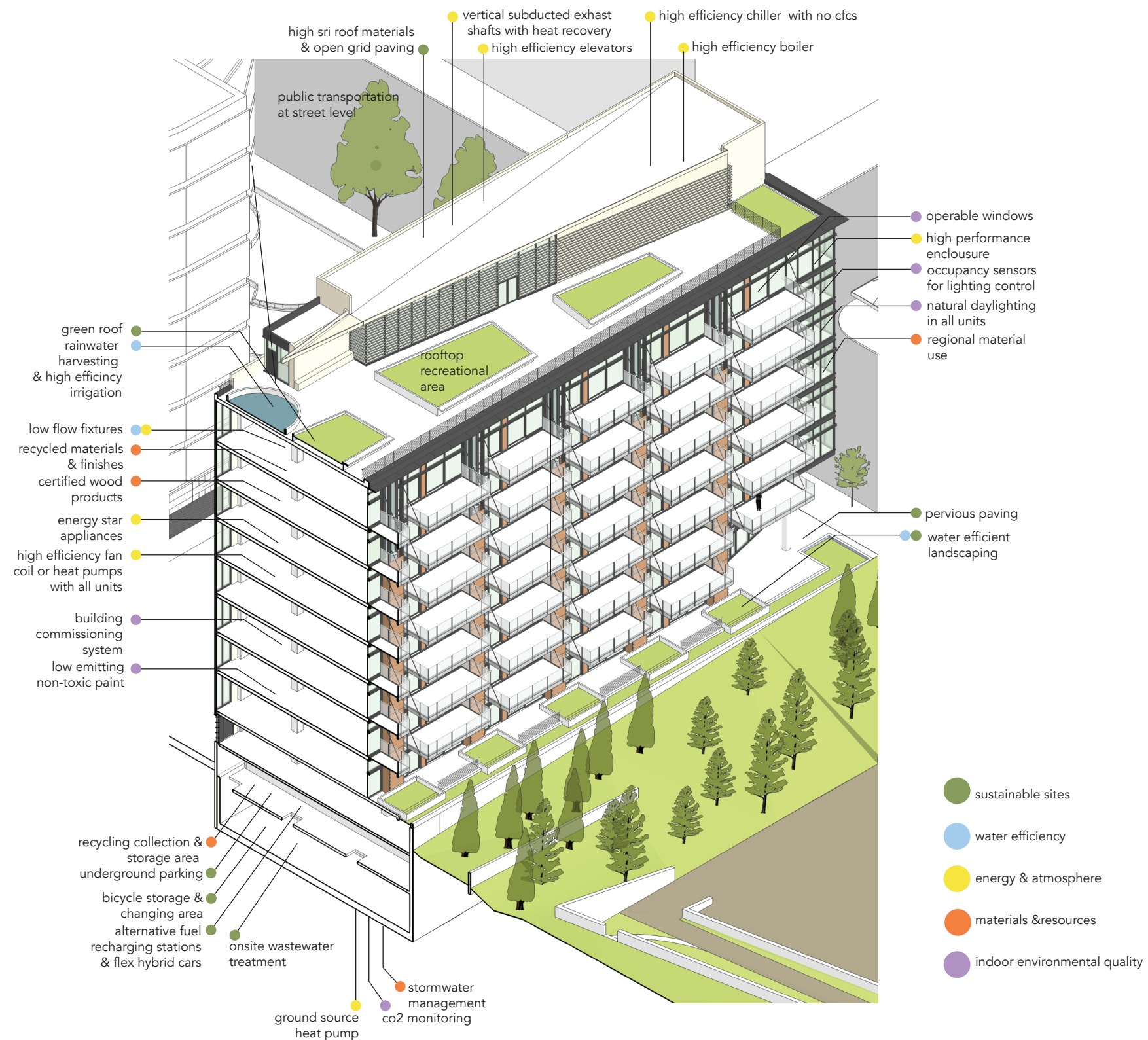
















OVERVIEW

The owner and design team are respectful of the Seattle Art Museum and the Olympic Sculpture Park, and have worked diligently toward an appropriate design response that will create a successful development and will enhance the neighborhood and the park. We have individually and collectively been proactive throughout many years of process to engage key stakeholders of SAM in a dialogue about the project. The measures taken by the owner and design team to communicate with SAM have included:

- Meeting at MSRE offices with key board members of SAM during which models and drawings of design concepts were reviewed to solicit feedback.
- Meeting at SAM offices with key board members of SAM during which models and drawings of design concepts were reviewed to solicit feedback.
- Meeting at Weiss Manfredi offices with Martin Selig during which models and drawings of design concepts were reviewed to solicit feedback.
- Submitting project graphic materials and drawings to Weiss Manfredi for detailed review and comment.
- Engaging CALA, the landscape architect of the OSP, to consult on the project to ensure continuity with the plant materials of the park.
- Meetings between various individual key stakeholder and individuals at SAM, MSRE, and neighbors.

At several points in the process, the Seattle Art Museum has submitted formal requests in writing to the owner, the DRB and DPD. On each issue, the owner and design team have embraced the requests, and continue to do so.

PROJECT CONDITIONS:

The following requests have been submitted in writing by SAM to MSRE, the DRB, and DPD, and were explicit conditions of the previous MUP approval. These conditions have been agreed to and incorporated into the project.

1. BALCONY UNDERSIDE FINISH.

The balcony structure will be prefabricated steel frame supporting steel decking and a concrete slab. The underside of the balcony is to be steel decking with smooth surface and a powder-coated or painted finish in light, neutral color.

2. LIGHTING.

Exterior lighting on the south side of the project will be limited to low output, shielded, landscape lighting for safety and security located in a structured planter zone that forms the south boundary with OSP and the project. No lighting is allowed for building illumination. A lighting plan, one that includes lighting proposed for the fifteen-foot area directly abutting the Olympic Sculpture Park, must be submitted and approved by DPD. In reviewing the lighting plan, DPD will seek input from the Seattle Art Museum regarding potential impacts to Olympic Sculpture Park.

3. STRUCTURES IN 15 FOOT SETBACK AREA ON SOUTH SIDE.

The only structures permitted in the 15 foot setback area between the project’s building and OSP are landscaping, balconies, at-grade terraces, and architectural column claddings with vine support.

4. ITEMS ON SOUTH SIDE OF BUILDING.

No advertising, billboards, art, sculptures or murals are allowed on the south facing façade of the project.

5. BALCONY USES.

The project will establish written restrictions precluding specific items for balcony use that include antennas, satellite dishes, other type of signal equipment, bicycles and laundry. These balcony use restrictions are to be incorporated into either an apartment covenant restriction and/or condominium documents.

6. MINIMUM SET BACK.

The exterior enclosure of the building is to be set back no less than 15 feet from the OSP property line. Balconies may extend no more than 10 feet from the building, thus leaving a minimum of 5 feet of space between the balconies outer edge and the OSP property.

7. OVERALL DESIGN AND ARCHITECTURAL MATERIALS.

The permit also would incorporate the “overall design” condition #6 in the prior Director’s Decision (9/14/2009, page 26), which reads as follows: “Construct a building with siting, construction materials, and architectural details, and install landscaping, both hardscape and planting materials, substantially the same as presented at the April 14, 2009 Design Review Board meeting and as contained in the approved MUP plan set.”

ADDITIONAL SEPA ANALYSIS:

The Seattle Art Museum recently requested additional SEPA analysis to address potential shadow, glare, or view impacts to the park. The issues in question are to be reviewed under the SEPA process; accordingly, additional detailed data and diagrams have been recently submitted as supplemental to previous SEPA checklist analysis. Given that the issues of potential shadow or glare impacts relate to design, they are summarized here. It is important to bear in mind that:

- The project has undergone a thorough SEPA analysis to examine potential impacts to the park.
- After considered review by experts, the Director of the Department of Planning and Development issued a SEPA Determination of Non Significance as part of the approved MUP for the project.
- Subsequent to the SEPA Determination of Non Significance, the Seattle Art Museum submitted a request in writing to ensure that the owner “Construct a building with siting, construction materials, and architectural details, and install landscaping, both hardscape and planting materials, substantially the same as presented at the April 14, 2009 Design Review Board meeting and as contained in the approved MUP plan set.”
- The record of review and approval by the DRB and the DPD provides a substantial and compelling basis to the conclusion that there will be no adverse impacts to the park.
- The record of formal request by SAM to construct a building “...substantially the same as presented at the April 14, 2009 Design Review Board meeting...” is compelling evidence that SAM, having adequate opportunity to review and assess potential impacts of the project took no exception to it on the basis of any SEPA issues, and indeed proactively and voluntarily requested that the project be built as presented.

GLARE SUMMARY

- Previous studies, submittals, and approvals validate that there will be no potential adverse impacts due to glare. Further detailed investigation has substantiated and quantified these findings.
- The project scale has been reduced substantially and glass column covers have been eliminated, resulting a 35% reduction in glazing area.
- Observation of sun angles demonstrates the effect of the balconies in shading the south facade throughout the year.
- The specified glazing provides among the lowest SRI values (Solar Reflectance Index) available.
- In order for glare to occur, three conditions must be simultaneously met. If any one condition is not met, there can be no glare impact to park:
 1. It must be a clear day.
 2. The altitude and compass bearing of sun must be such that a "ray" of sunlight reflected by the project could affect an occupied area of the park.
 3. The sun must strike a surface with a high Solar Reflectance Index.
- In a month by month study of the potential for these conditions to be met throughout the day, it is demonstrably clear that conditions 1 and 2 occur during only 2.9% of the parks hours of operation and when they do occur, have the potential to affect on average only 2.4% of the occupiable area of the park, resulting in a combined impact potential of 0.07% to the park.
- In other words, 99.93% of the time/space of the park will not be impacted.
- At no time is condition 3 met - the glass specified for the project has an exceptionally low Solar Reflective Index.
- Conclusion: there will be no adverse impacts from glare.

SHADOW SUMMARY

- Previous studies, submittals, and approvals validate that there are no potential adverse impacts due to shadows. Further detailed investigation has substantiated and quantified these findings.
 - In order for shadows to have an impact, three conditions must be simultaneously met. If any one condition is not met, there can be no impact:
 1. It must be a sunny day.
 2. The altitude and bearing of sun must be such that a shadow from the project could affect an occupied area of the park.
 3. A potential shadow must affect an occupied area of the park not already in shadow - existing shadows cast by existing structures, landforms, trees, sculptures are existing impacts.
- It should be noted that there is indeed a "valley" in the park immediately to the south of the project, and it is described as such in the promotional literature published by SAM, "Adjacent to the PACCAR Pavilion and the Gates Amphitheater, the Valley is an evergreen forest most typical of the Northwest's lowland coastal regions, featuring tall conifers such as fir, cedar and hemlock, and flowering shrubs and trees associated with moist conditions. Living examples of ancient trees once native to Washington, such as the ginkgo and majestic metasequoia (dawn redwood), are also found here."*
- In a detailed analysis, it is demonstrably clear that conditions 1 and 2 occur together only 0.6% of the parks annual hours of operation.
 - When conditions 1 and 2 do occur, they have the ability to meet condition 3 in only 0.26% of the park, resulting in a combined impact potential of 0.0016% to the park.
 - In other words, 99.99% of the time/space of the park will not be impacted.
 - Furthermore, a simple observation the compass bearing of sunset on the summer solstice clearly demonstrates that it is physically impossible for the project to cast a shadow on the amphitheater at any time of year.
 - Conclusion: there will be no adverse impacts from shadows.